



March 5, 2013

**CITY COUNCIL AGENDA**

6:00 p.m.

**CALL TO ORDER**

**ACCEPTANCE OF AGENDA**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ROLL CALL**

**MINUTES**

**Page 001** Minutes of the Regular City Council meeting held February 19, 2013

**PRESENTATIONS OF OTHER NON-ACTION COUNCIL ITEMS**

- Proclamation for St. Patrick's Day
- Recognition of Sgt. Larry Ferguson's 15 Years of Service
- Presentation by Sherrye Wyatt, Marketer for Island County Tourism

**CITIZEN COMMENT PERIOD**

**CONSENT AGENDA**

- Page 011** 1.a. Approval of Accounts Payable Voucher Nos. 153228 through 153235 in the amount of \$332.68
- Page 013** b. Approval of Accounts Payable Voucher Nos. 153236 through 153375 in the amount of \$426,892.57
- Page 031** c. Motion to reappoint Bob Nelson to the Marina Advisory Committee for a three-year term to expire January 2016
- Page 032** d. Motion to appoint Jeffrey Campbell to the Community Police Advisory Board for a four-year term to expire March 2017
- Page 034** e. Motion to appoint Lucas Yonkman to fill an unexpired term on the Community Police Advisory Board expiring March 2015
- Page 036** f. Motion to appoint Robert Young to fill an unexpired term on the Community Police Advisory Board expiring April 2015
- Page 038** g. Motion to appoint J.J. Jones to fill an unexpired term on the Marina Advisory Committee expiring December 2013
- Page 040** h. Motion to authorize the Mayor to sign the Final Plat of Fairway Point, Phase 3, and Division 1
- Page 051** i. Motion to adopt the Password Management Policy (FIN #13-02)
- Page 056** j. Motion to appoint Sandi Peterson to fill an unexpired term on the Planning Commission to expire September 2013



March 5, 2013

**CITY COUNCIL AGENDA**

6:00 p.m.

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**HEARINGS AND ORDINANCES/RESOLUTIONS**

- Page 058**     2.     Resolution 13-08: Public Hearing and Adoption of the 2013 Comprehensive Plan Docket
- Page 095**     3.     Ordinance 1652: Relating to the Keeping of Back Yard Chickens (First Reading)
- Page 126**     4.     Resolution 13-02: Supporting Constitutional Amendment to Regulate Corporate Spending and Campaign Financing

**OTHER BUSINESS**

**FUTURE CITY COUNCIL PENDING ITEMS - In Packet**

**CITY ADMINISTRATOR COMMENTS**

**COUNCILMEMBER'S COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**

As a courtesy to Council and the audience, PLEASE TURN YOUR CELL PHONES OFF before the meeting begins. During the meeting's Public Comments section, Council will listen to your input regarding subjects of concern or interest that are not on the agenda.

For scheduled public hearings, if you wish to speak, please sign your name to the sign-up sheet, located in the Council Chambers. The Council will take all information under advisement. Generally, Council will not take any action during the same meeting. To ensure your comments are recorded properly, state your name and address clearly into the microphone. Please limit your comments to three minutes in order that other citizens have sufficient time to speak.

Thank you for participating in your City Government!

To assure disabled persons the opportunity to participate in or benefit from City services, please provide 24-hour advance notice to the City Clerk at (360) 279-4539 for additional arrangements to reasonably accommodate special needs.

Oak Harbor City Council  
Regular Meeting Minutes  
February 19, 2013

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**CALL TO ORDER**

Mayor Scott Dudley called the meeting to order at 6:00 p.m.

**PLEDGE OF ALLEGIANCE/INVOCATION**

Mayor Dudley led the Pledge of Allegiance, and Pastor Don Jacques from Christ the King Community Church gave the invocation.

**ROLL CALL**

Present:

Mayor Scott Dudley  
Mayor Pro Tempore Danny Paggao  
Councilmember Rick Almberg  
Councilmember Jim Campbell  
Councilmember Beth Munns  
Councilmember Joel Servatius  
Councilmember Tara Hizon

Staff Present:

City Administrator Larry Cort  
Dev Services Director Steve Powers  
City Clerk Valerie J. Loffler  
Executive Assistant Renee Recker  
Chief of Police Ed Green  
Finance Director Doug Merriman  
Fire Chief Ray Merrill  
Interim City Attorney Grant Weed  
Public Works Director Cathy Rosen

Councilmember Bob Sevens was excused.

Councilmember Beth Munns moved to excuse the absence of Councilmember Tara Hizon. The motion was seconded by Councilmember Servatius and carried unanimously.

**ACCEPTANCE OF AGENDA**

The agenda was approved as presented.

**MINUTES**

The Minutes of the Regular Meeting of February 5, 2012, were approved as presented.

The Minutes of the City Council Retreat of February 13, 2013, were approved as presented.

## **PRESENTATIONS**

### Endorsement of Morgan Young for Association of Washington Cities Scholarship

Councilmember Beth Munns announced the Association of Washington Cities, of which the City of Oak Harbor is an active member, grants scholarships to outstanding young leaders from communities across the State who demonstrate an active interest in governance. The School District forwarded the name of Morgan Young for the City's endorsement to compete in this scholarship program. Ms. Young is the current president of the Associated Student Body of Oak Harbor High School and also serves as the student representative to the School Board. In the words of school district officials, "She is a wonderful young woman and excellent leader at Oak Harbor High School."

Ms. Young thanked Council for the opportunity. She introduced her parents, Patty and Robert Young, stating they play a big role in her life and are a huge influence.

### Annual Report from Police Community Advisory Board

Police Chief Ed Green introduced outgoing Chair Dave Thompson and current Chair Ed Johnson.

Mr. Thompson and Mr. Johnson discussed accomplishments and goals for the Board.

## **CITIZEN COMMENTS PERIOD**

Jerry Oliver discussed the safety hazard caused by drivers running the stop sign downtown in front of the Mermaid statute. Mr. Oliver also requested the Police Department provide a status report on their investigation of the graffiti on his truck and building.

Terry Lacey, event organizer for Oak Harbor's first Veteran's Day Parade, presented Certificates of Appreciation to Councilmember Campbell, Paggao, Severns, and Munns for their participation. Mr. Lacey also had certificates for Public Works personnel for their dedicated assistance.

Garrett Newkirk provided a quote from the City's website which related Mayor Dudley's belief in a safe, secure city. Mr. Newkirk stated he is unclear why people are in such fear for their life in Oak Harbor that they must carry a concealed firearm at all times. (See Attachment 1.)

William Frail stated he had previously requested Councilmember Servatius and Almborg resign and asked for an affirmative or negative response.

Deena Royal asked Council to consider an ordinance that would require businesses that serve liquor to pay their employees before closing business. A local establishment closed without paying the staff. Her son and many other young employees are now suffering the consequences.

Virginia Ricci informed Council why she carries a concealed weapon.

Shane Hoffmire asked if it was necessary to include his name on the Sign-in Sheet to speak during the public hearing for The Element. Mayor Dudley clarified the process.

## CONSENT AGENDA

City Clerk Valerie J. Loffler read the Consent Agenda.

- a. Approval of Accounts Payable Vouchers Nos. 153061 – 153063 in the amount of \$3,242.85
- b. Approval of Accounts Payable Vouchers Nos. 153064 – 153227 in the amount of \$428,947.12
- c. Motion to approve the Cash Handling Policy
- d. Motion to authorize the Mayor to sign the Interlocal Agreement for Vector Services with City of Anacortes

**Motion:** Councilmember Campbell moved to approve the consent agenda as presented. The motion was seconded by Councilmember Munns and carried unanimously.

## HEARINGS AND ORDINANCES/RESOLUTIONS

### Public Hearing: Ordinance 1643 Relating to Payment of Impact Fees

Development Services Director Steve Powers provided a report. He stated a letter of support was received from the Skagit/Island Counties Builders Association. (See Attachment 2.)

**Ordinance 1643**      **An Ordinance of the City of Oak Harbor Amending Sections 3.63.020, 3.63.030 and 3.63.065 of the Oak Harbor Municipal Code Relating to the Payment of Impact Fees and Temporarily Reducing the Amounts of those Fees as an Incentive to Development**

Mayor Dudley opened the public hearing at 6:00 p.m.

Jerry Oliver spoke in support.

Mel Vance voiced concerns about revising the current ordinance again at the end of the temporary reduction period.

The public hearing closed at 6:37 p.m.

Councilmember Paggao asked how the sunset clause would be handled. Mr. Powers clarified the language in the proposed ordinance, and City Attorney Grant Weed stated he was comfortable with staff recommendations.

Councilmember Paggao asked if transportation concurrency is still necessary for major projects that would surely impact roads and traffic. Mr. Powers explained the difference between the payment of the impact fee and the concurrency test which is applied to every development.

Councilmember Campbell expressed concern the reduction of impact fees could cause the City to expend funds. Mr. Powers responded that impact fees are used to address problems caused by new growth. The City is prohibited from using the impact fees for an existing problem. He added the temporary nature of the ordinance should not significantly impact the ability to undertake a transportation capital improvement.

Councilmember Munns spoke in support.

**Motion:** Councilmember Servatius moved to adopt Ordinance 1643. The motion was seconded by Councilmember Campbell and carried unanimously.

Public Hearing: Consideration of Revocation of The Element Nightclub License

Police Chief Ed Green provided a report and requested City Council open and immediately move to continue the public hearing allowing time to review additional information.

Staff and Mayor Dudley discussed hearing dates and appropriate notice and process.

Councilmember Campbell moved to continue the public hearing to a date specified by staff by the date of March 5th.

Mr. Paggao seconded the motion.

Councilmember Munns spoke in opposition.

Discussion followed regarding procedures for postponing the public hearing in addition to clarification of the pending motion.

The motion failed 1 to 4; Mr. Paggao in support.

**Motion:** Councilmember Almberg moved to open the public hearing and immediately move to continue to a date recommended by the City Administrator by or before March 19<sup>th</sup>. The motion was seconded by Councilmember Munns and carried unanimously.

At 7:08 p.m. the Mayor announced a five-minute recess. The meeting reconvened at 7:15 p.m.

## OTHER BUSINESS

Contract Amendment 4 for ERCI Archaeology Services

Public Works Director Joe Stowell provided the staff report.

Councilmember Servatius complimented staff on tracking expenditures.

Kelly Bush responded to questions from Councilmember Munns regarding the disposition of the artifacts.

Councilmember Campbell asked if additional tasks would be added to the project, and Mr. Stowell replied the current contract doesn't include reburial and site improvements.

Councilmember Almberg asked for an explanation for quantifying and tracking the volume of soil and labor project costs.

**Motion:** Councilmember Paggao moved to authorize the Mayor to sign Amendment No. 4 to the Professional Services Agreement with Equinox Research and Consulting International (ERCI) to expand the scope of services to include Phase 5 of the Archaeological Recovery Project and increasing the not to exceed contract amount by \$943,770.25, from \$1,207,586.75 to \$2,151,357.00. The motion was seconded by Councilmember Servatius and carried unanimously.

Swinomish Indian Tribal Community Reimbursement for Services Agreement Amendment

City Engineer Joel Stowell provided the staff report.

Councilmember Almberg related that it appears the City will be \$536,000 short. In response Finance Director Doug Merriman advised Council the funding requirements are reflected in the 2013 projections, including the internment of the remains.

**Motion:** Councilmember Servatius moved to authorize the Mayor to sign an amendment to the Reimbursement for Services Agreement between Swinomish Indian Tribal Community (SITC) and the City of Oak Harbor for services rendered under the terms of Archeological Excavation Permit No. 2012-19, as issued by the State Department of Archaeology and Historic Preservation. The motion was seconded by Councilmember Almberg and carried unanimously.

Mission Communications Purchase

Public Works Director Cathy Rosen provided the staff report.

Mel Vance suggested a backup for the system.

Councilmember Servatius asked about solar or battery backup. Ms. Rosen advised that there is an audible alarm and some backup power, although it's primitive.

Councilmember Munns confirmed these alarms would be modern enough to fit with new wastewater treatment plant.

Councilmember Paggao spoke in support.

Councilmember Almberg clarified the level of performance for the system and discussed after-hours standby duty.

**Motion:** Councilmember Almberg moved to authorize the purchase of ten Mission-110 alarm monitoring units from Correct Equipment in the amount of \$28,370.70. The motion was seconded by Councilmember Campbell and carried unanimously.

Ratification of Oak Harbor Firefighter Local 4504 IAFF Labor Contract

Doug Merriman reported the negotiations for the 2013-2014 collective bargaining agreement with the Oak Harbor Firefighters Local 4504 IAFF have been completed.

Councilmember Almberg clarified that only fulltime firefighters would be included in the Cost of Living Allowance (COLA). Mr. Merriman stated it would cost roughly \$9,600.00 during 2014 for those eight individuals.

Councilmember Paggao and Munns spoke in support congratulating staff and firefighters for completing the negotiations.

Councilmember Servatius confirmed the adjustment to the comparables would be retroactive back to January 1, 2013.

**Motion:** Councilmember Servatius moved to authorize the Mayor to sign the 2013-14 Collective Bargaining Agreement between the City of Oak Harbor and the Oak Harbor Firefighters Local 4504 IAFF for January 1, 2013, through December 31, 2014. The motion was seconded by Councilmember Munns and carried unanimously.

#### City Administrator Comments

City Administrator Larry Cort reminded Council of the Open House and Special Workshop Meeting to be held March 6, 2013, at the Elks Lodge to discuss wastewater facilities.

He further discussed scheduling the workshop to discuss standing committees and workshops. It was agreed to schedule March 5<sup>th</sup> at 3:00 p.m. – 5:00 p.m. with an hour break prior to the Regular Council meeting at 6:00 p.m.

Dr. Cort discussed pending items for the March 5, 2013, regular meeting agenda, and informed Council the contract with animal services is tentatively scheduled for the March 19 meeting.

He added that interviews will be held on Friday for city attorney candidates.

#### City Council Comments

Councilmember Campbell, Munns and Servatius commented on the AWC Legislative conference.

Councilmember Munns advised the next Public Safety Standing Committee meeting is February 21, 2013.

Further, she expressed her gratitude for Council's support of AWC, including the scholarship endorsement.

Mayor Scott Dudley welcomed new City Clerk Valerie J. Loffler.

#### Executive Session

At 8:14 p.m. Mayor Dudley convened an Executive Session to discuss labor negotiations pursuant to RCW 42.30.110(1)(i)). The meeting would last approximately 25 minutes and no action would be taken.

Mayor Dudley reconvened the meeting at 8:34 p.m.

#### Adjournment

**Motion:** Councilmember Munns moved for adjournment at 8:34 p.m. The motion was seconded by Councilmember Campbell and carried unanimously.

Valerie J. Loffler, City Clerk

Greetings: Mayor Dudley and City Council Members of Oak Harbor

Quote from Mayor Dudley's profile page from the city of Oak Harbor

"Mayor Dudley Believes is a safe, secure city that is governed by an open, fiscally responsible government, making oak harbor a city we are proud to call "home." "

As a family that has been residents of Whidbey Island since 1909, I am still unclear of why people are in such fear for their life in the city of Oak Harbor or Island County that they must carry a concealed firearm all times. What does this say about our community? It is only common sense that guns should not be allowed in city government buildings or at public meeting places.

Do we not live in a civilized society?

I would encourage you to form a committee to look into why people feel they need to carry a gun at all times in the city Oak Harbor.

Thank you,

Garrett Newkirk



15571-A Peterson Rd., Burlington, WA 98233 • Phone (360) 757-6916 • Fax (360) 757-0604

February 15, 2013

From: Skagit/Island Counties Builders Association (SICBA)

To: City of Oak Harbor

Subj: Temporary One Year Reduction of Impact Fee Charges for Residential Construction

Mr. Powers,

I have read through the proposed ordinance the Oak Harbor City Council will be addressing on Tuesday night and am glad to say SICBA supports the contents of the proposal. With the economy still in the doldrums, any assistance in getting the building industry going again is greatly appreciated. While we realize the workload is not reduced for staff, we feel this is a very positive step forward in helping our economy to recover.

SICBA would like to thank the Mayor, City Council and City Staff for their perseverance in finding a solution to the ever increasing cost of housing that has the potential of positively affecting the city as a whole as well as providing more jobs in our local community.

Again, thank you for your willingness to encourage building and development in the community.

Respectfully,

C. W. Crider

Executive Officer

Skagit/Island Counties Builders Association

Attachment 2





**PROCLAMATION IN RECOGNITION OF**

**ST. PATRICK'S DAY**

**MARCH 17, 2013**

**WHEREAS**, By 1776 nearly 300,000 natives of Ireland had immigrated to the United States; and

**WHEREAS**, in 1858 Irish immigrants arrived in Oak Harbor, Washington; and

**WHEREAS**, at least eight signers of the Declaration of Independence were of Irish ancestry; and

**WHEREAS**, the Irish and their descendants have helped to enrich the quality of life in the United States and have served with distinction in all areas of American society; and

**WHEREAS**, St. Patrick's Day parades and celebrations have taken place in Oak Harbor for 40 years; and

**WHEREAS**, for 2013, the parade will take place on Saturday, March 16<sup>th</sup> on Pioneer Way commencing at 1pm.

**NOW, THEREFORE, WE**, Scott Dudley, Mayor, and Councilmembers of the City of Oak Harbor do hereby proclaim **March 17<sup>th</sup>, 2013** as **St. Patrick's Day**.

Signed this 5th day of March, 2013

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Scott Dudley, Mayor

# City of Oak Harbor City Council Agenda Bill

**Bill No.**            **Presentations 2**  
**Date:**             March 5, 2013  
**Subject:**         Employee Recognition –  
                             Sgt. Larry Ferguson

**FROM:**         **Scott Dudley**  
                       **Mayor**

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

\_\_\_\_\_ Larry Cort, City Administrator  
\_\_\_\_\_ Doug Merriman, Finance Director  
\_\_\_\_\_ Grant Weed, Interim City Attorney, as to form

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**PURPOSE**

To recognize City employees for 10 years, or more, of service.

**AUTHORITY**

It is the practice of the City to recognize dedicated employees who have completed 10 years, and then every five years thereafter, of service.

**FISCAL IMPACT DESCRIPTION**

Funds Required: \$0.00  
Appropriation Source: n/a

**SUMMARY STATEMENT**

The Mayor and City Council will recognize Sgt. Larry Ferguson for 15 years of service with the City.

**STANDING COMMITTEE REPORT**

None.

**RECOMMENDED ACTION**

Congratulate Sgt. Ferguson for his 15 years of service.

**ATTACHMENTS**

None.

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

Bill No. C/A 1.a.  
Date: March 5, 2013  
Subject: Approval of Accounts Payable  
Vouchers

FROM: Doug Merriman, Finance Director 

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

 Scott Dudley, Mayor  
 Larry Cort, City Administrator  
 Grant Weed, Interim City Attorney, as to form

**SUMMARY STATEMENT**

Oak Harbor Municipal Code Chapter 3.72 establishes procedures for claims (vouchers) payment. The documentation that regularly supports the signature coversheets is attached. Claim coversheets be will be provided prior to the City Council meeting for appropriate Council signatures.

**AUTHORITY**

Oak Harbor Municipal Code Chapter 3.72.

**RECOMMENDED ACTION**

Motion to approve the accounts payable vouchers in the amount of \$332.68, consisting of Nos. 153228 through 153235.

**ATTACHMENTS**

Voucher List

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153228	2/15/2013	0007037 BRUNO, CAITLIN	Ref000202936		UB Refund Cst #00121046	92.98
					<b>Total :</b>	<b>92.98</b>
153229	2/15/2013	0007035 COLEMAN, RANDALL OR ANGELA	Ref000202932		UB Refund Cst #00151130	1.54
					<b>Total :</b>	<b>1.54</b>
153230	2/15/2013	0007036 GARCIA, ISRAEL	Ref000202933		UB Refund Cst #00158572	15.85
					<b>Total :</b>	<b>15.85</b>
153231	2/15/2013	0007038 HARSTAD, SCOTT OR KRISTEN	Ref000202938		UB Refund Cst #00124710	41.35
					<b>Total :</b>	<b>41.35</b>
153232	2/15/2013	0001494 HOMES FOR RENT	Ref000202937		UB Refund Cst #00123127	56.57
					<b>Total :</b>	<b>56.57</b>
153233	2/15/2013	0006382 HUD	Ref000202934		UB Refund Cst #00161179	27.09
					<b>Total :</b>	<b>27.09</b>
153234	2/15/2013	0007034 RYAN, JANET	Ref000202931		UB Refund Cst #00148088	44.37
					<b>Total :</b>	<b>44.37</b>
153235	2/15/2013	0001391 WINDERMERE	Ref000202935		UB Refund Cst #00120156	52.93
					<b>Total :</b>	<b>52.93</b>
<b>8 Vouchers for bank code : bank</b>						<b>Bank total : 332.68</b>
<b>8 Vouchers in this report</b>						<b>Total vouchers : 332.68</b>

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

Bill No. C/A 1.b.  
Date: March 5, 2013  
Subject: Approval of Accounts Payable  
Vouchers

FROM: Doug Merriman, Finance Director 

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

           Scott Dudley, Mayor  
 Larry Cort, City Administrator  
           Grant Weed, Interim City Attorney, as to form

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**SUMMARY STATEMENT**

Oak Harbor Municipal Code Chapter 3.72 establishes procedures for claims (vouchers) payment. The documentation that regularly supports the signature coversheets is attached. Claim coversheets be will be provided prior to the City Council meeting for appropriate Council signatures.

**AUTHORITY**

Oak Harbor Municipal Code Chapter 3.72.

**RECOMMENDED ACTION**

Motion to approve the accounts payable vouchers in the amount of \$426,892.57, consisting of Nos.153236 through 153375.

**ATTACHMENTS**

Voucher List

Voucher List  
City of Oak Harbor

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153236	2/15/2013	0005773 COMCAST	8498300270032002		CABLE CHARGES	235.30
					<b>Total :</b>	<b>235.30</b>
153237	2/19/2013	0005469 MARRIOTT WARDMAN PARK HOTEL	021513		HOTEL ACCOMMODATIONS/ALMBERG	1,465.60
					<b>Total :</b>	<b>1,465.60</b>
153238	2/19/2013	0005469 MARRIOTT WARDMAN PARK HOTEL	021513A		HOTEL ACCOMMODATIONS/SERVATIUS	1,172.48
					<b>Total :</b>	<b>1,172.48</b>
153239	2/19/2013	0005469 MARRIOTT WARDMAN PARK HOTEL	021513B		HOTEL ACCOMMODATIONS/DUDLEY	1,758.72
					<b>Total :</b>	<b>1,758.72</b>
153240	2/26/2013	0000950 LICENSING, WASHINGTON STATE DEPT OF	021413		CONCEALED WEAPONS PERMITS	882.00
					<b>Total :</b>	<b>882.00</b>
153241	2/27/2013	0000950 LICENSING, WASHINGTON STATE DEPT OF	022013		CONCEALED WEAPONS PERMITS	345.00
					<b>Total :</b>	<b>345.00</b>
153242	2/27/2013	0000960 REVENUE, WASHINGTON STATE DEPT OF	021313		JAN 2013/SALES/USE TAX	46,877.73
					<b>Total :</b>	<b>46,877.73</b>
153243	2/27/2013	0006845 48 NORTH	32338		ADVERTISING	228.00
					<b>Total :</b>	<b>228.00</b>
153244	2/27/2013	0000004 A+ AUTO GLASS & RADIATOR	41041		WINDSHIELD INSTALLATION	230.47
					<b>Total :</b>	<b>230.47</b>
153245	2/27/2013	0005024 ALMBERG, RICHARD	TRAVEL ADVANCE TRAVEL REIMB		TRAVEL ADVANCE TRAVEL REIMB	360.50 182.50
					<b>Total :</b>	<b>543.00</b>
153246	2/27/2013	0000036 AMERICAN PUBLIC WORKS	020413A		REGISTRATION/BEBEE/WELSHANS	130.00
					<b>Total :</b>	<b>130.00</b>
153247	2/27/2013	0000712 AMERIGAS	3015090835		PROPANE/DOG POUND	462.52
					<b>Total :</b>	<b>462.52</b>

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153248	2/27/2013	0000712 AMERIGAS	3015090442		PROPANE/MARINA	172.30
<b>Total :</b>						<b>172.30</b>
153249	2/27/2013	0002044 ANACORTES.NET/HOW IT WORKS	32238		FEB 2013/WEB HOSTING	75.00
<b>Total :</b>						<b>75.00</b>
153250	2/27/2013	0007044 ANDREWS, LANA	022113		KEY DEPOSIT REFUND	5.00
<b>Total :</b>						<b>5.00</b>
153251	2/27/2013	0002052 ASCENTIS SOFTWARE	SI-026496		LICENSES	219.57
<b>Total :</b>						<b>219.57</b>
153252	2/27/2013	0004019 ASSOCIATED PETROLEUM PRODUCTS	0401010-IN		FUEL	5,932.57
<b>Total :</b>						<b>5,932.57</b>
153253	2/27/2013	0001237 ASSOCIATION OF CERTIFIED FRAUD	782185		MEMBERSHIP	175.00
<b>Total :</b>						<b>175.00</b>
153254	2/27/2013	0000159 AT&T MOBILITY	287248275930X1222201 287249477751X0224201		2012/HOTSPOTS AIRCARDS	323.26 424.17
<b>Total :</b>						<b>747.43</b>
153255	2/27/2013	0003410 BAER, DON	TRAVEL ADVANCE		TRAVEL ADVANCE	107.00
<b>Total :</b>						<b>107.00</b>
153256	2/27/2013	0000069 BAILEY, MICHAEL	TRAVEL ADVANCE		TRAVEL ADVANCE	106.50
<b>Total :</b>						<b>106.50</b>
153257	2/27/2013	0004733 BARRON HEATING & AIR COND, INC	132871		FURNACE REPAIRS	495.42
<b>Total :</b>						<b>495.42</b>
153258	2/27/2013	0001435 BISCH, PAT	1		TRAVEL REFUND	22.00
<b>Total :</b>						<b>22.00</b>
153259	2/27/2013	0004917 BLATTMAN, ENA KAY	1		TRAVEL REFUND	22.00
<b>Total :</b>						<b>22.00</b>
153260	2/27/2013	0000109 BLUMENTHAL UNIFORMS	981645		SHIRT/T SAMPSON	123.35

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153260	2/27/2013	0000109 BLUMENTHAL UNIFORMS	(Continued)			
			982988		UNIFORM ITEMS/WRIGHT	835.19
			982988-01		UNIFORM ITEMS	212.24
			982990		CLOTH EMBLE/T SAMPSON	22.50
			983178		HOLSTER/WRIGHT	114.90
			984660		CUFF CASE	-36.90
					<b>Total :</b>	<b>1,271.28</b>
153261	2/27/2013	0006769 BRAUN CONSULTING GROUP	1613		JAN 2013/RETAINER	2,650.00
					<b>Total :</b>	<b>2,650.00</b>
153262	2/27/2013	0006939 CANDLEWOOD SUITES	1346		HOTEL ACCOMMODATIONS/HEUSLEIN	584.91
					<b>Total :</b>	<b>584.91</b>
153263	2/27/2013	0005208 CARTER, SERLOYD	TRAVEL ADVANCE		TRAVEL ADVANCE	253.00
			TRAVEL ADVANCE		TRAVEL ADVANCE	253.00
			TRAVEL ADVANCE		TRAVEL ADVANCE	253.00
					<b>Total :</b>	<b>759.00</b>
153264	2/27/2013	0000150 CASCADE NATURAL GAS	08793000004		NATURAL GAS/POLICE STATION	485.58
			18583000007		NATURAL GAS/TREATMENT PLANT	10.00
			36624000000		NATURAL GAS/FIRE STATION	1,262.81
			58793000009		NATURAL GAS/CITY HALL	764.47
			80434000008		NATURAL GAS/CITY SHOP	1,609.94
			82193000005		NATURAL GAS/ANNEX	67.98
			90134000000		NATURAL GAS/ADULT CARE CENTER	145.04
					<b>Total :</b>	<b>4,345.82</b>
153265	2/27/2013	0000167 CHEVRON AND TEXACO BUSINESS	575516		FUEL	24.29
					<b>Total :</b>	<b>24.29</b>
153266	2/27/2013	0000170 CHIEF SUPPLY	194465		HANGER	177.10
			196705		STREAMLIGHT	264.73
					<b>Total :</b>	<b>441.83</b>
153267	2/27/2013	0000398 CHIEFS OF POLICE, INTERNATIONAL ASSOC	022513		MEMBERSHIP	120.00
					<b>Total :</b>	<b>120.00</b>

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153268	2/27/2013	0000179 CLERKS PETTY CASH	022113		PETTY CASH	15.62
						<b>Total :</b>
153269	2/27/2013	0001860 CORT, LARRY	TRAVEL REIMB		TRAVEL REIMB	179.65
						<b>Total :</b>
153270	2/27/2013	0000225 DAILY JOURNAL OF COMMERCE	3270855		BID CALL/NORTH RESERVOIR	566.20
						<b>Total :</b>
153271	2/27/2013	0001974 DATEC, INC	30564		SCANNER/BARCODE	288.06
						<b>Total :</b>
153272	2/27/2013	0007041 DAVIS, RENA	1		TRAVEL REFUND	20.00
						<b>Total :</b>
153273	2/27/2013	0000256 DAY WIRELESS SYSTEMS	326458		ANTENNA	51.09
						<b>Total :</b>
153274	2/27/2013	0000247 DIAMOND RENTALS	1-504393-6		PORTABLES	49.95
						<b>Total :</b>
153275	2/27/2013	0007040 DILLARD, DAN	021113		CLAIM FOR DAMAGES	1,242.36
						<b>Total :</b>
153276	2/27/2013	0005840 DUDLEY, SCOTT	TRAVEL ADVANCE		TRAVEL ADVANCE	431.50
						<b>Total :</b>
153277	2/27/2013	0007046 DUNCAN MCINTOSH CO, INC	05019933		ADVERTISING	375.00
						<b>Total :</b>
153278	2/27/2013	0000257 DUTCH MAID CLEANERS	022813		FEB 2013/LAUNDRY SERVICES	482.49
						<b>Total :</b>
153279	2/27/2013	0005622 EC POWER SYSTEMS	415438		GENERATOR REPAIR	3,710.40
						<b>Total :</b>
153280	2/27/2013	0000967 ECOLOGY, WASHINGTON STATE DEPT OF	2013-BT0706		BIOSOLIDS PERMIT	1,942.31
						<b>Total :</b>

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153281	2/27/2013	0001666 ENVIRO-CLEAN EQUIPMENT	3944445		NOZZLE/GROMMET	56.61
<b>Total :</b>						<b>56.61</b>
153282	2/27/2013	0006747 EQUINOX RESEARCH & CONSULTING	11-413-9		PROF SVC/PIT ROAD ARCHAEOLOGIC	176,049.71
<b>Total :</b>						<b>176,049.71</b>
153283	2/27/2013	0006276 EXPRESS SERVICES, INC	12079240-3 12105227-8		OFFICE SERVICE SUPPORT OFFICE SERVICE SUPPORT	582.24 1,164.48
<b>Total :</b>						<b>1,746.72</b>
153284	2/27/2013	0000309 FERGUSON, LARRY	EXP REIMB		EXP REIMB	65.00
<b>Total :</b>						<b>65.00</b>
153285	2/27/2013	0000954 FIRE CHIEFS, WASHINGTON STATE ASSOC ( 09-6002			REGISTRATION/MERRILL	175.00
<b>Total :</b>						<b>175.00</b>
153286	2/27/2013	0000355 FRONTIER	279-0841 279-1060 675-1669 675-5190 679-2530 679-3541 679-4091 679-4150 679-5551		CURRENT PHONE CHARGES CURRENT PHONE CHARGES CURRENT PHONE CHARGES CURRENT PONE CHARGES CURRENT PONE CHARGES CURRENT PHONE CHARGES CURRENT PHONE CHARGES CURRENT PHONE CHARGES CURRENT PHONE CHARGES	71.20 58.97 58.80 40.76 58.80 50.61 91.14 54.65 184.39
<b>Total :</b>						<b>669.32</b>
153287	2/27/2013	0002072 GILES, JOYCE	1		TRAVEL REFUND	22.00
<b>Total :</b>						<b>22.00</b>
153288	2/27/2013	0000349 GRAINGER	9062778593		GLOVES	173.58
<b>Total :</b>						<b>173.58</b>
153289	2/27/2013	0002940 GRAY & OSBORNE, INC	13404.00-2		PROF SVC/WATER SYSTEM PLAN UPD	8,903.18
<b>Total :</b>						<b>8,903.18</b>
153290	2/27/2013	0000999 GRCC/WW	124283 124288		REGISTRATION/BAZA REGISTRATION/JAMESON	465.00 465.00

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153290	2/27/2013	0000999 GRCC/WW	(Continued) 124292 124295 124297 124303		REGISTRATION/ROBINSON REGISTRATION/SCHNEIDER REGISTRATION/SELDAL REGISTRATION/WELSHANS	465.00 465.00 465.00 465.00 <b>Total : 2,790.00</b>
153291	2/27/2013	0000345 GREATER OAK HBR CHAMBER OF COM	030130 291		FEB 2013/TOURIST INFORMATION MEMBERSHIP	6,000.00 650.00 <b>Total : 6,650.00</b>
153292	2/27/2013	0002747 GUARDIAN SECURITY	410745		TERMINAL REPAIR	130.44 <b>Total : 130.44</b>
153293	2/27/2013	0006868 HEUSLEIN, NACELLE	EXP REIMB		EXP REIMB	74.91 <b>Total : 74.91</b>
153294	2/27/2013	0000388 HOFKAMP, RONALD L	EXP REIMB		EXP REIMB	126.82 <b>Total : 126.82</b>
153295	2/27/2013	0005250 HONEYMOON BAY COFFEE ROASTERS	799714		COFFEE SUPPLIES	149.02 <b>Total : 149.02</b>
153296	2/27/2013	0000627 HSBC BUSINESS SOLUTIONS	102319455211 105238455211 3986363		SUPPLIES SUPPLIES SUPPLIES	792.73 343.73 97.82 <b>Total : 1,234.28</b>
153297	2/27/2013	0001910 HUGHES, BETTY	1		TRAVEL REFUND	22.00 <b>Total : 22.00</b>
153298	2/27/2013	0000417 INDUSTRIAL BOLT & SUPPLY	528250-2		RUVETS	43.82 <b>Total : 43.82</b>
153299	2/27/2013	0005884 ISLAND COUNTY HUMAN SERVICES	4TH QTR 12		4TH QTR 2012/EXCISE/LIQUOR TAX	1,005.29 <b>Total : 1,005.29</b>
153300	2/27/2013	0004410 ISLAND COUNTY PUBLIC HEALTH	022513		SOLID WASTE PERMIT	277.00

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153300	2/27/2013	0004410 0004410 ISLAND COUNTY PUBLIC HEALTH	(Continued)			<b>Total : 277.00</b>
153301	2/27/2013	0000415 ISLAND DISPOSAL	020513 3127153		JAN 2013/COLLECTION CHARGES RECYCLING	8,759.08 41.00 <b>Total : 8,800.08</b>
153302	2/27/2013	0005010 JOHNSON DDS, SAMUEL F	020413		INMATE SERVICES	658.00 <b>Total : 658.00</b>
153303	2/27/2013	0007039 JOHNSTON, ANNALISE	1		TRAVEL REFUND	30.00 <b>Total : 30.00</b>
153304	2/27/2013	0007042 JONES, PATTY	1		TRAVEL REFUND	22.00 <b>Total : 22.00</b>
153305	2/27/2013	0000479 K MART	54281		HC KIT	16.29 <b>Total : 16.29</b>
153306	2/27/2013	0006362 KBA, INC	3000990		PROF SVC/GUN CLUB ROAD WATER M	2,672.20 <b>Total : 2,672.20</b>
153307	2/27/2013	0005628 KESSLER, ROSE	1 1		TRAVEL REFUND TRAVEL REFUND	24.00 20.00 <b>Total : 44.00</b>
153308	2/27/2013	0000221 LN CURTIS & SONS	2101401-00		MOTOR/GEAR BOX	1,075.92 <b>Total : 1,075.92</b>
153309	2/27/2013	0000515 LOGGERS & CONTRACTORS, INC	00057958		BROOM	808.23 <b>Total : 808.23</b>
153310	2/27/2013	0001909 LONG, JAY	1		DRIVING SERVICES	129.00 <b>Total : 129.00</b>
153311	2/27/2013	0000522 LUEHR, TOM	1 1 1		DRIVING SERVICES DRIVING SERVICES DRIVING SERVICES	75.00 135.00 141.00

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153311	2/27/2013	0000522 0000522 LUEHR, TOM			(Continued)	<b>Total : 351.00</b>
153312	2/27/2013	0000530 MAILLIARD'S LANDING NURSERY	66947 66953 66957 67213 67222		SOIL SOIL BARK FLAGSTONE FLAGSTONE	41.26 20.63 65.18 16.96 32.83 <b>Total : 176.86</b>
153313	2/27/2013	0000660 MARKET PLACE FOOD & DRUG	547100 764396		GROCERIES GROCERIES	165.68 238.82 <b>Total : 404.50</b>
153314	2/27/2013	0000362 MARSH-MCBIRNEY - HACH COMPANY	8115265		SAMPLE CELL	50.33 <b>Total : 50.33</b>
153315	2/27/2013	0006072 MASTER'S TOUCH, LLC	28582 28583 P28582 P28583		JAN 2013/MAILING SERVICES FOR LAT JAN 2013/MAILING SERVICES FOR STA JAN 2013/POSTAGE FOR LATE NOTICE JAN 2013/POSTAGE FOR STATEMENTS	255.66 867.97 399.49 2,615.90 <b>Total : 4,139.02</b>
153316	2/27/2013	0000558 MERRILL, RAY	TRAVEL ADVANCE		TRAVEL ADVANCE	44.00 <b>Total : 44.00</b>
153317	2/27/2013	0004818 MICHAEL BOBBINK LAND USE SRVCS	021513		FEB 2013/HEARING EXAMINER SERVIC	1,500.00 <b>Total : 1,500.00</b>
153318	2/27/2013	0005127 MICHALSKI, PAT	1		TRAVEL REFUND	44.00 <b>Total : 44.00</b>
153319	2/27/2013	0000587 MOTOR TRUCKS, INC	MV40402		RELAY VALVE	316.89 <b>Total : 316.89</b>
153320	2/27/2013	0001041 MUNICIPAL ATTORNEYS, WASHINGTON STA'	022213		REGISTRATION/ESPARZA	300.00 <b>Total : 300.00</b>
153321	2/27/2013	0005005 MUNNS, BETH	TRAVEL ADVANCE		TRAVEL ADVANCE	248.50

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153321	2/27/2013	0005005 0005005 MUNNS, BETH	(Continued)			<b>Total : 248.50</b>
153322	2/27/2013	0000608 NC MACHINERY COMPANY	MVCS0220996		SWITCH	122.90
						<b>Total : 122.90</b>
153323	2/27/2013	0000612 NELSON PETROLEUM	0491669-IN		FUEL	796.70
						<b>Total : 796.70</b>
153324	2/27/2013	0000618 NEXTEL COMMUNICATIONS	343702312-134		CURRENT COMM CHARGES	3,538.03
						<b>Total : 3,538.03</b>
153325	2/27/2013	0000651 NORTHWEST REGIONAL COUNCIL	3602		MEMBERSHIP	1,500.00
						<b>Total : 1,500.00</b>
153326	2/27/2013	0006855 NORTHWEST YACHTING MAGAZINE	43561		ADVERTISING	432.00
						<b>Total : 432.00</b>
153327	2/27/2013	0000654 NYDAM, HENRY	TRAVEL ADVANCE		TRAVEL ADVANCE	70.50
						<b>Total : 70.50</b>
153328	2/27/2013	0000672 OAK HARBOR ACE	217264		BLADE/CONCRETE	31.48
			217269		CONCRETE	8.67
			217307		FRY PAN/FASTENERS	23.54
			217378		SCREW/ADAPTER	14.21
			217423		STRP PVC CNDT	4.88
			217439		LYSOL/FASTENERS	9.01
			217471		WASHERS/FASTENERS	8.10
			217485		FASTENERS/CLEANER	8.92
			217497		STEEL WOOL	6.51
			217500		FILTER	20.64
			217501		FILTER	20.64
			217517		TARP	23.90
			217712		RSTP/FASTENERS/MARKERS	20.70
			217721		FASTENERS	1.57
			217763		FREIGHT	29.11
			217771		COUPLE/ADAPTER/TEE/PIPE	9.38
			217799		WIRE/LUBE/FASTENERS	22.46
			217823		FASTENERS	5.17

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153328	2/27/2013	0000672 OAK HARBOR ACE	(Continued)			
			217833		ELBOWS/COUPLER	7.90
			217837		COUPLERS/TEE/BUSHING	22.08
			217841		PIPE/TUBE/ADAPTERS/BUSHING/CLAM	38.46
			217866		MANDREL CUT/WHEEL/WRENCH	16.06
			217881		NIPPLE/ELBOW	5.30
					<b>Total :</b>	<b>358.69</b>
153329	2/27/2013	0000668 OAK HARBOR AUTO CENTER	001-156414		BR MST CYL	-82.31
			001-156496		SPARK PLUG	1.25
			001-156527		FILTERS	29.50
			001-156547		FILTERS	4.52
			001-156918		ACCESSORIES	12.21
			001-156931		FILTERS	106.05
			001-157216		FILTERS	52.05
					<b>Total :</b>	<b>123.27</b>
153330	2/27/2013	0000676 OAK HARBOR POLICE DEPARTMENT	022813		PETTY CASH	37.57
					<b>Total :</b>	<b>37.57</b>
153331	2/27/2013	0000681 OAK HARBOR SCHOOL DISTRICT	0000120428		FEB 2013/COMPUTER NETWORK SUPP	6,708.33
					<b>Total :</b>	<b>6,708.33</b>
153332	2/27/2013	0003007 OFFICE DEPOT	643778224001		BINDERS	36.28
					<b>Total :</b>	<b>36.28</b>
153333	2/27/2013	0000665 OFFICEMAX, INC	557252		PENS/FOLDERS	75.77
			647291		TONER	159.19
					<b>Total :</b>	<b>234.96</b>
153334	2/27/2013	0007027 ORSWELL EVENTS, LLC	2013012		PERFORMANCE FEE	7,750.00
					<b>Total :</b>	<b>7,750.00</b>
153335	2/27/2013	0001615 PART WORKS, INC	352518		HY 100 A MBFW	254.34
					<b>Total :</b>	<b>254.34</b>
153336	2/27/2013	0005783 PARTSMASER	20645870		CAP/NUT/WASHER	49.28

Voucher List  
City of Oak Harbor

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153336	2/27/2013	0005783 0005783 PARTSMaster			(Continued)	<b>Total : 49.28</b>
153337	2/27/2013	0000709 PERS	00970931		JAN 2013/UNFUNDED LIABILITY	26.98
						<b>Total : 26.98</b>
153338	2/27/2013	0000724 PONY MAILING & BUSINESS CENTER	205149		SHIPPING	23.43
						<b>Total : 23.43</b>
153339	2/27/2013	0006866 PROTHMAN	2013-3757 2013-3786		INTERIM CITY CLERK SERVICES INTERIM CITY CLERK SERVICES	998.07 4,124.38
						<b>Total : 5,122.45</b>
153340	2/27/2013	0000743 PUGET SOUND ENERGY	0682202007 0889461000 0908850001 0948350004 1149160002 1306440387 1306444926 1306445121 1306447796 1306449073 1306449248 2069491005 2117261004 2149541001 2438649366 2668731009 2728350006 2972721001 3004881003 3069491003 3223642657 3415305956 3460950003 3997850007 4249160005		ELECTRICITY/SW ERIE ST SW BARRIN ELECTRICITY/SEWAGE LAGOON - SEA ELECTRICITY/285 SE JEROME STREET ELECTRICITY/KITCHEN EAST SIDE ELECTRICITY/POLICE STATION ELECTRICITY/SR 20 & SW 24 ST ELECTRICITY/34777 STATE ROUTE 20 ELECTRICITY/CITY BEACH PARK ELECTRICITY/2000 SW SCENIC HEIGH ELECTRICITY/1780 SW SPRINGFIELD C ELECTRICITY/3285 SW SCENIC HEIGH ELECTRICITY/1577 NW 8TH AVENUE ELECTRICITY/CITY BEACH PARK ELECTRICITY/945 E WHIDBEY AVE #B ELECTRICITY/NW CROSBY AVE & NW H ELECTRICITY/SENIOR CENTER ELECTRICITY/ANNEX ELECTRICITY/2081 NE 9TH AVENUE ELECTRICITY/HELLER RD AND 700 AV ELECTRICITY/1678 SW 8TH AVENUE ELECTRICITY/SAB 4993 SR 20 E SIDE H ELECTRICITY/626 CHRISTIAN ROAD ELECTRICITY/MIDWAY & SE 8TH STREI ELECTRICITY/SEWAGE LIFT PMP 900 V ELECTRICITY/LIFT STATION E PION	158.34 4,892.19 13.60 9.77 1,823.57 296.86 100.77 137.84 23.21 10.33 120.49 9.76 188.82 50.75 124.11 1,615.72 20.28 11.57 69.13 9.76 318.74 37.41 159.32 10.05 192.54

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153340	2/27/2013	0000743	PUGET SOUND ENERGY			
			(Continued)			
			4763991009		ELECTRICITY/SMITH PARK	9.85
			5039160006		ELECTRICITY/1137 NW KATHLEEN DRI'	30.62
			5145502000		ELECTRICITY/90 SE PIONEER WAY LIG	67.53
			5315850007		ELECTRICITY/700 AV W & MIDWAY	210.21
			5410100654		ELECTRICITY/1957 FORT NUGENT RO/	176.49
			5462650002		ELECTRICITY/HELLER RD TELEMETER	581.65
			5528850000		ELECTRICITY/NEIL PK & HOLLAND GAF	28.98
			5839160008		ELECTRICITY/DISPOSAL PLANT	4,654.90
			5848181003		ELECTRICITY/FIDALGO & HATHAWAY A	25.08
			6012561814		ELECTRICITY/3300 OLD GOLDIE ROAD	80.22
			6012568561		ELECTRICITY/SWANTOWN RIDGE	208.32
			6160160005		ELECTRICITY/1285 NE TAFTSON STRE	36.36
			6240913613		ELECTRICITY/2075 SW FT	375.73
			6768202001		ELECTRICITY/1501 S BEEKSMA	26.86
			6847901524		ELECTRICITY/SPRING TREE PARK	57.40
			6847904155		ELECTRICITY/1948 NW CROSBY AVENI	112.85
			6847904528		ELECTRICITY/1661 NE 16TH AVENUE	25.22
			6847906499		ELECTRICITY/MIDWAY AVENUE STREE	317.42
			6847906598		ELECTRICITY/651 SE BAYSHORE DRIV	105.71
			6847908149		ELECTRICITY/CITY BEACH PARK	9.76
			6847908198		ELECTRICITY/SE PIONEER WAY & SE M	252.85
			6847908362		ELECTRICITY/1300 NE BIG BERRY LOC	9.76
			6847909006		ELECTRICITY/SE PIONEER WAY & SE C	191.70
			6847909394		ELECTRICITY/MIDWAY & SE 4TH STREI	200.85
			6847909501		ELECTRICITY/SE PIONEER WAY & SE I	138.87
			6902550000		ELECTRICITY/MCCROHAN & BARRING'	53.41
			6969160008		ELECTRICITY/PUMP STA AULT FLD	656.27
			7195081000		ELECTRICITY/600 NE 7TH AVENUE	145.19
			7258350003		ELECTRICITY/CITY BCH COMFRT STAT	189.48
			7479771003		ELECTRICITY/552 NW CLIPPER DRIVE	9.76
			7647999403		ELECTRICITY/SE CITY BEACH ST BALL	20.52
			7848350000		ELECTRICITY/75 SE JEROME STREET	9.76
			7944581003		ELECTRICITY/5941 STATE ROUTE 20	14.25
			8191791048		ELECTRICITY/ADULT CARE CENTER	27.03
			8258350001		ELECTRICITY/RESTROOM KITCHEN W	20.78
			8291970286		ELECTRICITY/2330 SW ROSARIO PLAC	38.20

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153340	2/27/2013	0000743 PUGET SOUND ENERGY	(Continued)			
			8382791005		ELECTRICITY/FABER ST & HARVEST D	9.76
			8549402009		ELECTRICITY/2075 SW FT	10.72
			8639451007		ELECTRICITY/1301 SE CATALINA DRIVE	35.44
			8833451001		ELECTRICITY/700 AV W & 80 NW	270.42
			8848350008		ELECTRICITY/CITY BEACH PARK	9.76
			8922751006		ELECTRICITY/128 E WHIDBEY AVENUE	9.76
			8926771000		ELECTRICITY/PIONEER PARK	20.01
			9045851004		ELECTRICITY/1370 SE DOCK STREET	67.66
			9049160006		ELECTRICITY/CITY HALL	1,126.38
			9142061002		ELECTRICITY/SR 20 & 650 AV W	1,449.22
			9173951006		ELECTRICITY/287 SE CABOT DRIVE	84.09
			9269160009		ELECTRICITY/MARINA	4,293.89
			9374761006		ELECTRICITY/TREATMENT PLANT	4,764.40
			9406881004		ELECTRICITY/CITY SHOP	2,946.42
			9640160009		ELECTRICITY/VALVE PIT E SIDE RES	20.39
			9816271002		ELECTRICITY/FIRE STATION	1,307.88
			9848350006		ELECTRICITY/BATHHOUSE EAST BEACH	17.40
					<b>Total :</b>	<b>35,968.37</b>
153341	2/27/2013	0000781 SAFEWAY	724538		GROCERIES	143.67
					<b>Total :</b>	<b>143.67</b>
153342	2/27/2013	0003323 SAMPSON, TERRY	TRAVEL ADVANCE		TRAVEL ADVANCE	390.50
			TRAVEL ADVANCE		TRAVEL ADVANCE	390.50
					<b>Total :</b>	<b>781.00</b>
153343	2/27/2013	0006986 SAN DIEGO POLICE EQUIPMENT INC	605538		MARKERS/PROTECTORS/COLLARS	1,656.08
					<b>Total :</b>	<b>1,656.08</b>
153344	2/27/2013	0004486 SCHAAL, PHYLLIS	1		TRAVEL REFUND	22.00
					<b>Total :</b>	<b>22.00</b>
153345	2/27/2013	0000789 SCHAEFER SYSTEMS INTERNATIONAL	WARA143600		CARTS	8,972.40
					<b>Total :</b>	<b>8,972.40</b>
153346	2/27/2013	0005967 SEATTLE AUTOMOTIVE DIST	06-794612		BOOT/SPARK PLUG	84.18

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153346	2/27/2013	0005967 0005967 SEATTLE AUTOMOTIVE DIST	(Continued)			<b>Total : 84.18</b>
153347	2/27/2013	0000809 SENIOR SERVICES OF ISLAND	OH01-2013		JAN 2013/SENIOR SERVICES	1,500.00
						<b>Total : 1,500.00</b>
153348	2/27/2013	0007029 SERVATIUS, JOEL	TRAVEL ADVANCE		TRAVEL ADVANCE	289.50
						<b>Total : 289.50</b>
153349	2/27/2013	0000964 SHERIFFS & POLICE CHIEFS, WASHINGTON	55684		BI TAC/BASE/RF	120.00
						<b>Total : 120.00</b>
153350	2/27/2013	0000822 SHRED-IT USA, INC	101310894		SHREDDING	105.60
						<b>Total : 105.60</b>
153351	2/27/2013	0003144 SITTNER, MARY	1		TRAVEL REFUND	22.00
						<b>Total : 22.00</b>
153352	2/27/2013	0000831 SIX ROBBLEES', INC	14-262668 14-262669 14-263254 14-263888 14-263891		TARP ROLLER KIT SWITCH GOVERNOR D-2 TARP ROLLER KIT TARP ROLLER KIT	405.17 112.10 18.16 405.17 -405.17
						<b>Total : 535.43</b>
153353	2/27/2013	0000814 SKAGIT FARMERS SUPPLY	321818 323149		STRAW PLANTING	20.63 9.77
						<b>Total : 30.40</b>
153354	2/27/2013	0000833 SKAGIT HYDRAULICS	126022 126089		MOTOR TUBE/RINGS/ORNIGS/BANDS/SEALS	564.37 1,404.39
						<b>Total : 1,968.76</b>
153355	2/27/2013	0007047 SNOHOMISH COUNTY LEGAL SERVICE	021913		REGISTRATION/ESPARZA	225.00
						<b>Total : 225.00</b>
153356	2/27/2013	0000843 SOLID WASTE SYSTEMS, INC	0061200-IN		CONTROL ASSY	113.94
						<b>Total : 113.94</b>

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153357	2/27/2013	0000851 SPRINT	414568819-063		CURRENT CELL CHARGES	508.09
<b>Total :</b>						<b>508.09</b>
153358	2/27/2013	0000851 SPRINT	140239187		LONG DISTANCE	8.84
			144603707		LONG DISTANCE	14.06
<b>Total :</b>						<b>22.90</b>
153359	2/27/2013	0000860 STANDARD INSURANCE COMPANY	021913		LIFE/POCFF	270.63
<b>Total :</b>						<b>270.63</b>
153360	2/27/2013	0003883 STAPLES BUSINESS ADVANTAGE	3190662803		TONER/FOLDERS	201.57
			3190662804		CHISEL/CALC RIBBON/POST-ITS/FLAG:	47.96
			3190662805		FOLDERS	116.55
			3191113237		MONTVERD PETITE BD LTH TASK BK	173.91
			3191798419		DRAWER	47.88
			3191798420		JOURNAL BOOK	223.44
			3191798421		INK/DRY ERASE	95.35
			3191798422		TONER	90.91
			3191798426		TONER	163.07
			3192606389		TONER	97.97
			3192606390		INK	101.07
			3192606391		POST IT NOTES	36.23
			3192606392		FOLDERS	31.61
<b>Total :</b>						<b>1,427.52</b>
153361	2/27/2013	0000856 STATE AUDITOR'S OFFICE	L96939		2012 AUDIT SERVICES FOR 2011	501.60
<b>Total :</b>						<b>501.60</b>
153362	2/27/2013	0005272 SUBLET, CHRISTOPHER	TRAVEL REIMB		TRAVEL REIMB	12.00
<b>Total :</b>						<b>12.00</b>
153363	2/27/2013	0000874 SURETY PEST CONTROL	350746		PEST EXTERMINATION	38.05
			350747		PEST EXTERMINATION	30.44
			350748		PEST EXTERMINATION	43.48
			350749		PEST EXTERMINATION	30.44
			350750		PEST EXTERMINATION	43.48
			350751		PEST EXTERMINATION	32.61

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153363	2/27/2013	0000874 SURETY PEST CONTROL	(Continued) 351757		PEST EXTERMINATION	59.79
					<b>Total :</b>	<b>278.29</b>
153364	2/27/2013	0006739 SUSAN ELIZABETH DRUMMOND, PLLC	440		2012/PROF SVC/WWGMHB	135.00
					<b>Total :</b>	<b>135.00</b>
153365	2/27/2013	0000881 TAB PRODUCTS CO, LLC	2156552		LASER LABELS	711.72
					<b>Total :</b>	<b>711.72</b>
153366	2/27/2013	0000923 UNITED PARCEL SERVICE	0000A0182W043 0000A0182W053 0000A0182W063		SHIPPING SHIPPING SHIPPING	17.96 22.27 10.03
					<b>Total :</b>	<b>50.26</b>
153367	2/27/2013	0000926 USABLUBOOK	874745 875360 878779		FLT FLT TURBIDIMETER KIT	140.72 105.38 1,105.36
					<b>Total :</b>	<b>1,351.46</b>
153368	2/27/2013	0000930 USPS FEE RENEWALS	022113		FEE INCREASE/#29	10.00
					<b>Total :</b>	<b>10.00</b>
153369	2/27/2013	0007045 VENTRY SOLUTIONS, INC	5820		DOOR STOP	412.11
					<b>Total :</b>	<b>412.11</b>
153370	2/27/2013	0005920 VICKERS, JAMES	1		TRAVEL REFUND	22.00
					<b>Total :</b>	<b>22.00</b>
153371	2/27/2013	0007043 WEBER, NEDIA	1		TRAVEL REFUND	20.00
					<b>Total :</b>	<b>20.00</b>
153372	2/27/2013	0006853 WEED, GRAAFSTRA & BENSON, INC, LAW O 7 8			2012/PROF SVC/GENERAL/LITIGATION 2013/PROF SVC/GENERAL/LITIGATION	13,817.00 22,945.00
					<b>Total :</b>	<b>36,762.00</b>
153373	2/27/2013	0001007 WHIDBEY CLEANERS	234680		EMBROIDERY	52.99

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153373	2/27/2013	0001007	0001007 WHIDBEY CLEANERS		(Continued)	<b>Total : 52.99</b>
153374	2/27/2013	0000675	WHIDBEY COMMUNITY PHYSICIANS	667124	PHYSICAL/MATTHEWS	210.00
				668138	PHYSICAL/PLACE	210.00
					<b>Total :</b>	<b>420.00</b>
153375	2/27/2013	0001010	WHIDBEY TELECOM	3535399	CURRENT NET SERVICE	42.07
					<b>Total :</b>	<b>42.07</b>
140 Vouchers for bank code : bank						<b>Bank total : 426,892.57</b>
140 Vouchers in this report						<b>Total vouchers : 426,892.57</b>

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

Bill No. C/A 1.c.  
Date: March 5, 2013  
Subject: Marina Advisory Committee  
Re-Appointment – Bob Nelson

FROM: Scott Dudley, Mayor

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

 Larry Cort, City Administrator  
 Doug Merriman, Finance Director  
 Grant Weed, Interim City Attorney, as to form

**PURPOSE**

The purpose of this agenda bill is for the Council to confirm Mayor Dudley's re-appointment of Bob Nelson to the Marina Advisory Committee.

**AUTHORITY**

Oak Harbor Municipal Code, Chapter 2.39 Marina Advisory Committee:

**2.39.040 Appointment - Terms.**

(1) All marina advisory committee members shall be appointed by the mayor, subject to confirmation by the city council.

**FISCAL IMPACT DESCRIPTION**

None

**SUMMARY STATEMENT**

Bob Nelson was appointed to the Marina Advisory Committee in January 2010. Mr. Nelson is an active and valued member of the committee. He has confirmed that he will serve another term if re-appointed. If confirmed, Mr. Nelson's three-year term would expire January 2016.

Mayor Dudley recommends that Bob Nelson be confirmed to serve another three-year term on the Marina Advisory Committee

**STANDING COMMITTEE REPORT**

None.

**RECOMMENDED ACTION**

Confirm Mr. Nelson's re-appointment to the Marina Advisory Committee.

**ATTACHMENTS**

None.

3.5.2013 Agenda Bill – Marina Adv Comm re-apptmt – Nelson

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

Bill No. C/A 1.d.  
Date: March 5, 2013  
Subject: Community Police Advisory  
Board Appointment – Jeff  
Campbell

FROM: Scott Dudley, Mayor

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

 Larry Cort, City Administrator  
 Doug Merriman, Finance Director  
 Grant Weed, Interim City Attorney, as to form

**PURPOSE**

The purpose of this agenda bill is for the Council to confirm Mayor Dudley's appointment of Jeffrey Campbell to the Community Police Advisory Board.

**AUTHORITY**

Oak Harbor Municipal Code, Chapter 2.50 Community Police Advisory Board:

**2.50.030 Appointment - Terms.**

(1) All board members shall be appointed by the mayor, subject to confirmation by the city council.

**FISCAL IMPACT DESCRIPTION**

None

**SUMMARY STATEMENT**

If confirmed, Mr. Campbell's four-year term would expire March 2017.

Mayor Dudley recommends that Jeff Campbell be confirmed to serve a four-year term on the Community Police Advisory Board.

**STANDING COMMITTEE REPORT**

None.

**RECOMMENDED ACTION**

Confirm Mr. Campbell's appointment to the Community Police Advisory Board.

**ATTACHMENTS**

Mr. Campbell's biography.

3.5.2013 Agenda Bill –Comm Police Adv Board Appt – Campbell

## Biography Form

Recommended Board Appointment for: Police Community Advisory Board (CAB)

Name: Jeffrey S. Campbell Date: 1/28/2013

Address: 2560 SW Capital Drive

City, State, Zip: Oak Harbor, WA 98277

Mailing Address (if different): \_\_\_\_\_

Phone: Home 360-682-6104 Work \_\_\_\_\_ Cell 702-513-0338

Email: jefcampbel @ comcast. net

Resident of Oak Harbor/Whidbey Island for: 5/6 years/months

Occupation and Place of Employment (if retired, reference previous occupation):

Retired (US Air Force officer, business owner, school teacher, Oak Harbor Yacht Club manager)

Local Group or Civic affiliations: Deception Pass Sail and Power Squadron, Whidbey Audubon Society, Whidbey Island Genealogical Searchers

Special Interests: boating, hiking, travel, birding, reading

Other General Comments: \_\_\_\_\_

When completed, please return to:

Martha Folsom, Oak Harbor Police Department, 860 SE Barrington Drive, Oak Harbor, WA 98277

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

Bill No. C/A I.e.  
Date: March 5, 2013  
Subject: Community Police Advisory  
Board Appointment – Lucas  
Yonkman

**FROM:** Scott Dudley, Mayor

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

*[Signature]* Larry Cort, City Administrator  
*[Signature]* Doug Merriman, Finance Director  
*[Signature]* Grant Weed, Interim City Attorney, as to form

**PURPOSE**

The purpose of this agenda bill is for the Council to confirm Mayor Dudley's appointment of Lucas Yonkman to the Community Police Advisory Board.

**AUTHORITY**

Oak Harbor Municipal Code, Chapter 2.50 Community Police Advisory Board:  
2.50.030 Appointment - Terms.

(1) All board members shall be appointed by the mayor, subject to confirmation by the city council.

**FISCAL IMPACT DESCRIPTION**

None

**SUMMARY STATEMENT**

If confirmed, Mr. Yonkman will complete an unexpired term which will expire in March 2015.

Mayor Dudley recommends that Lucas Yonkman be confirmed to serve on the Community Police Advisory Board.

**STANDING COMMITTEE REPORT**

None.

**RECOMMENDED ACTION**

Confirm Mr. Yonkman's appointment to the Community Police Advisory Board.

**ATTACHMENTS**

Mr. Yonkman's biography.

3.5.2013 Agenda Bill –Comm Police Adv Board Appt – Yonkman

## Biography Form

Recommended Board Appointment for: COMMUNITY POLICE ADVISORY BOARD

Name: LUCAS YONKMAN Date: 02/20/2013

Address: 2919 SW FAIRWAY POINT DR

City, State, Zip: Oak Harbor WA. 98277

Telephone Number: 360-632-0704 Email Address: lucasyonkman@gmail.com

Mailing Address (if different from above): \_\_\_\_\_

Resident of Oak Harbor/Whidbey Island for: 29 years/months

Occupation and Place of Employment (if retired, reference previous occupation):

GENERAL CONTRACTOR, RONSON'S DESIGN & CONSTRUCTION, LLC.

SELF EMPLOYED

Local Group or Civic Affiliations: SUNRISE ROTARY, WOUNDED

WARRIOR PROJECT, GRACE COMMUNITY CHURCH

Special Interests: FIREARM AWARENESS, SAFETY & TRAINING.

Other General Comments: I HOPE TO HAVE A POSITIVE IMPACT ON MY

COMMUNITY AND LOCAL GOVERNMENT.

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

Bill No. C/A 1.f.  
Date: March 5, 2013  
Subject: Community Police Advisory  
Board Appointment – Robert  
Young

FROM: Scott Dudley, Mayor

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

 Larry Cort, City Administrator  
 Doug Merriman, Finance Director  
 Grant Weed, Interim City Attorney, as to form

**PURPOSE**

The purpose of this agenda bill is for the Council to confirm Mayor Dudley’s appointment of Robert Young to the Community Police Advisory Board.

**AUTHORITY**

Oak Harbor Municipal Code, Chapter 2.50 Community Police Advisory Board:

**2.50.030 Appointment - Terms.**

(1) All board members shall be appointed by the mayor, subject to confirmation by the city council.

**FISCAL IMPACT DESCRIPTION**

None

**SUMMARY STATEMENT**

If confirmed, Mr. Young will complete an unexpired term which will expire in April 2015.

Mayor Dudley recommends that Robert Young be confirmed to serve on the Community Police Advisory Board.

**STANDING COMMITTEE REPORT**

None.

**RECOMMENDED ACTION**

Confirm Mr. Young’s appointment to the Community Police Advisory Board.

**ATTACHMENTS**

Mr. Young’s biography.

3.5.2013 Agenda Bill –Comm Police Adv Board Appt – Yonkman

# Biography Form

Recommended Board Appointment for: Police Community Advisory Board (CAB)

Name: Robert C. Young Date: 1/25/13

Address: 1472 W Emerald Ct. / ~~PO Box 2774~~

City, State, Zip: Oak Harbor, WA 98277

Mailing Address (if different): PO Box 2250  
Oak Harbor WA 98277-6250

Phone: Home 679-0982 Work 679-4949 Cell 929-5036

Email: Robert@tradewindsins.com

Resident of Oak Harbor/Whidbey Island for: 29/6 years/months

Occupation and Place of Employment (if retired, reference previous occupation):

Owner & Insurance Agent - Tradewinds Insurance

Local Group or Civic affiliations: Living Word Fellowship, Oak Harbor  
Chamber of Commerce

Special Interests: Business Community, Children & High School Sports

Other General Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When completed, please return to:  
Martha Folsom, Oak Harbor Police Department, 860 SE Barrington Drive, Oak Harbor, WA 98277

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

Bill No. C/A 1.g.  
Date: March 5, 2013  
Subject: Marina Advisory Committee  
Appointment -- J.J. Jones

FROM: Scott Dudley, Mayor

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

*[Signature]* Larry Cort, City Administrator  
*[Signature]* Doug Merriman, Finance Director  
*[Signature]* Grant Weed, Interim City Attorney, as to form

**PURPOSE**

The purpose of this agenda bill is for the Council to confirm Mayor Dudley's appointment of J.J. Jones to the Marina Advisory Committee.

**AUTHORITY**

Oak Harbor Municipal Code, Chapter 2.39 Marina Advisory Committee:

**2.39.040 Appointment - Terms.**

(1) All marina advisory committee members shall be appointed by the mayor, subject to confirmation by the city council.

**FISCAL IMPACT DESCRIPTION**

None

**SUMMARY STATEMENT**

If confirmed, Mr. Jones will complete an unexpired term which will expire in December 2013.

Mayor Dudley recommends that J.J. Jones be confirmed to serve on the Marina Advisory Committee.

**STANDING COMMITTEE REPORT**

None.

**RECOMMENDED ACTION**

Confirm Mr. Jones' appointment to the Marina Advisory Committee.

**ATTACHMENTS**

Mr. Jones' biography.

3.5.2013 Agenda Bill --Marina Adv Comm Appt -- Jones

## **Biography Form**

Recommended Board Appointment for: Marina Advisory Committee

Name: J.J.Jones

Date: 20 Feb 2013

Address: 2715 Laurel Lane, Oak Harbor, WA 98277

City, State, Zip: Oak Harbor, WA 98277

Telephone Number: 360 675 7911

Email Address: jjones@jjonesjr.com

Mailing Address (if different from above): \_\_\_\_\_

Resident of Oak Harbor/Whidbey Island for: 33 years

Occupation and Place of Employment (if retired, reference previous occupation):

Retired Navy Commander, Director of Business for CareEvolve of Elmwood Park, New Jersey

Local Group or Civic Affiliations: Rear Commodore of the Oak Harbor Yacht Club

Special Interests: \_\_\_\_\_

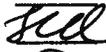
Other General Comments: \_\_\_\_\_

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

**Bill No.** C/A 1.h.  
**Date:** March 5, 2013  
**Subject:** Fairway Point PRD, Phase 3  
Division 1 Final Plat

**FROM:** Steve Powers  
Development Services Director

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

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

**PURPOSE**

This agenda bill presents the final plat for the Fairway Point Planned Residential Development, Phase 3, Division 1. Approval of the proposed final plat will create 10 lots along SW Fairway Point Drive.

**AUTHORITY**

In general, RCW Chapter 58.17 governs the approval of subdivision plats. The approval of a final plat is specifically addressed in RCW 58.17.160 and 170. The City's subdivision regulations are found in OHMC Title 21, with final plats addressed in OHMC Chapter 21.40. Finally, final plats are categorized as a Type VI review process under OHMC 18.20.280. Type VI process does not require a public hearing; approval action may be taken in a public meeting.

**FISCAL IMPACT DESCRIPTION**

Funds Required: N/A

Appropriation Source: N/A

There are no immediate fiscal impacts with the approval of the final plat. The developer was responsible for constructing all required infrastructure in accordance with the City's standards. Once the plat is approved and recorded, the City will accept the public infrastructure, rights of way and easements as indicated on the face of the plat. Approximately 270 feet of right-of-way will be dedicated as part of this phase. The street and the associated infrastructure will be added to the city's inventory and maintenance schedules.

**BACKGROUND**

The initial Fairway Point Planned Residential Development (PRD), consisting of 140 lots in three divisions (including Phase 3, Division 1), was approved in 2004. The approved PRD plans are attached to this report for reference. Division 4 was added to the PRD in 2007. Its approval added 40 lots to the

\\city1\Admin\CITY COUNCIL MEETINGS\CITY COUNCIL MEETINGS\Agenda Packet Creation\2013\March 5, 2013\1h Fairway Point Final Plat.doc

# City of Oak Harbor City Council Agenda Bill

project, for a total of 180 lots. Over the years, the developer has constructed the project in phases and has recorded final plats for 141 lots. This final plat proposes to add 10 lots to the development and extend SW Fairway Point Drive by 270 feet. SW Fairway Point will eventually connect to Fairway Lane located west of this subdivision with future phases of this development.

## **REVIEW AND APPROVAL PROCESS**

As was previously noted, the submittal and review requirements for final plats are addressed in OHMC Chapter 21.40. The approval process is specifically found at OHMC 21.40.050, which states:

### **21.40.050 Review and approval process.**

- (1) The director shall forward the final plat application to the city council if:
  - (a) The application is in order; and
  - (b) Improvements are constructed in a satisfactory manner and approved by the city engineer or a bond or other security acceptable to the city engineer has been satisfactorily posted for deferred improvements.
  
- (2) The recommendations of the director regarding the final plat shall be forwarded to the mayor for placement upon city council agenda.
  
- (3) After receipt of the recommendation on any final plat, the city council shall consider the final plat at a public meeting. (Ord. 1568 § 6, 2010)

City staff reviewed the application and found it in order as required by OHMC 21.40.050(1)(a). The Public Works Department and the Engineering Division reviewed the final plat map for accuracy and conformance with the approved preliminary subdivision and for compliance with the requirements of the Subdivision Code (which requires compliance with RCW 58.17) and recommends approval of the final subdivision plat. The Planning Division has reviewed and recommends approval of the final subdivision plat for conformance with the PRD, preliminary plat, zoning ordinances and other applicable land use controls, as well as the conditions and environmental mitigation measures required for the preliminary subdivision approval.

The necessary public improvements were constructed in a satisfactory manner and are approved by the City Engineer as required by OHMC 21.40.050(1)(b).

State law provides the necessary guidance for the City Council's review and action once the staff recommendation is received. RCW 58.17.170 states, in part, "When the legislative body of the city, town or county finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and that said subdivision meets the requirements of this chapter, other applicable state laws, and any local ordinances adopted under this chapter which were in effect at the time of preliminary plat approval, it shall suitably inscribe and execute its written approval on the face of the plat." The City Council makes its decision in a public meeting.

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

## **CONCLUSION**

The final plat is in conformance with the requirements of RCW 58.17, OHMC 21.40, the approved planned residential development and the approved preliminary plat. Staff has reviewed the application for conformance with the appropriate technical requirements and has determined that the proposed final plat meets the code requirements. Staff recommends approval of the final plat.

## **RECOMMENDED ACTION**

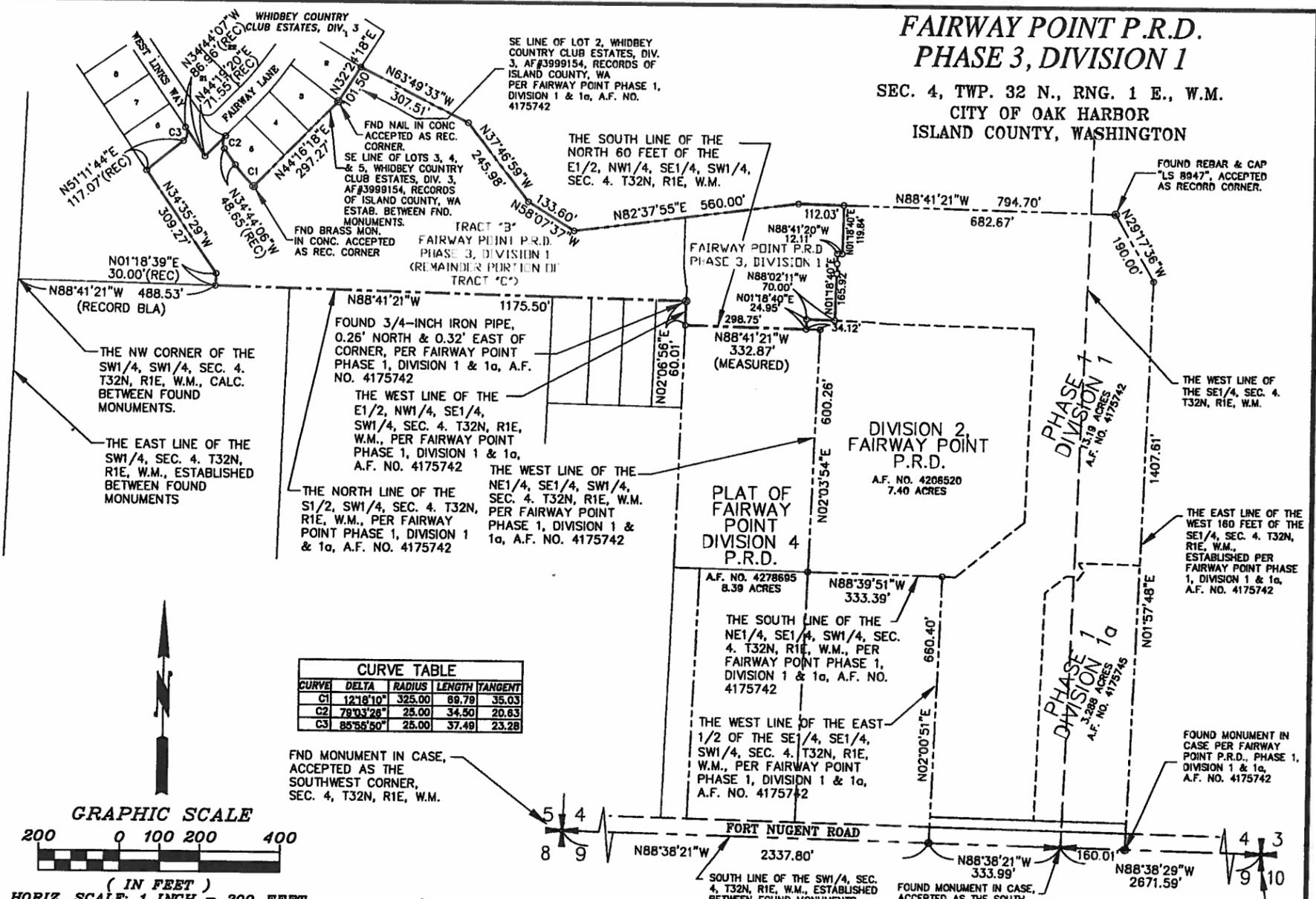
- Approve the Final Plat of Fairway Point PRD Phase 3, Division 1

## **ATTACHMENTS**

1. Fairway Point PRD plans
2. Final Plat of Fairway Point PRD Phase 3, Division 1

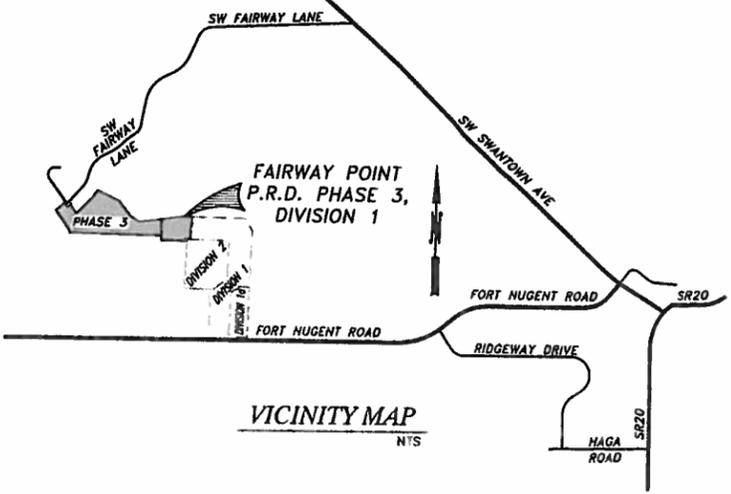
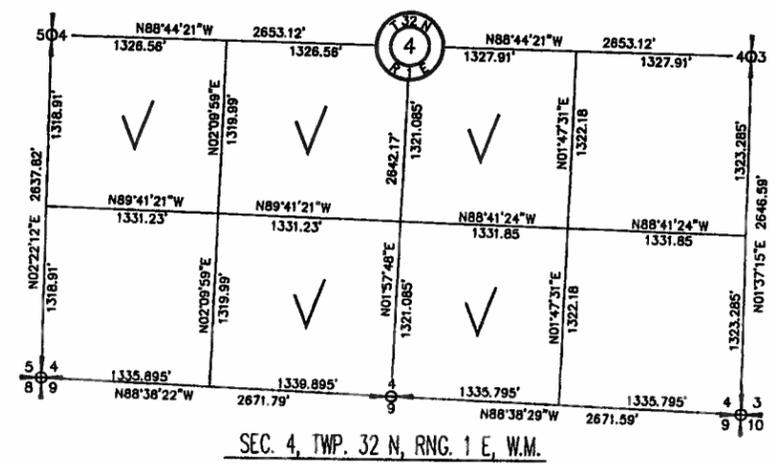
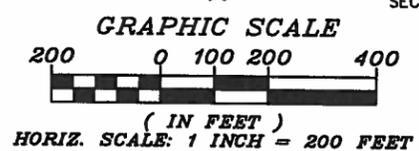
**NOTES:**

- ZONING: R1-P.R.D.
- ACCESS TO STORMWATER FACILITIES AND SEWER MAIN MANHOLES TO REMAIN UNOBSTRUCTED FOR INSPECTION AND MAINTENANCE OF THE SYSTEM. ACCESS ROADS ARE TO BE MAINTAINED FOR VEHICULAR ACCESS. NO ALTERATION IS ALLOWED WITHOUT THE APPROVAL OF THE CITY OF OAK HARBOR.
- CERTIFICATION, AS CONTAINED HEREIN, COMPRISES THE DECLARATION OF THE SURVEYOR'S PROFESSIONAL JUDGMENT. IT DOES NOT CONSTITUTE A WARRANTY OR A GUARANTEE, EXPRESSED OR IMPLIED; NOR DOES IT RELIEVE ANY OTHER PARTY OF HIS OR HER RESPONSIBILITY TO ABIDE BY CONTRACT DOCUMENTS, APPLICABLE CODES, STANDARDS, REGULATIONS, AND ORDINANCES.
- ALL LOT CORNERS AND THE POINTS OF CURVATURE ARE MARKED ON THE GROUND WITH A REBAR AND A PLASTIC CAP MARKED "SUMMIT 32169" UNLESS NOTED OTHERWISE.
- NO PERMANENT BUILDING, DECK, FENCING OR OTHER STRUCTURE SHALL BE ERRECTED WITHIN THE EASEMENTS SHOWN HEREON.
- ALL LOTS SHALL HAVE AN UNDIVIDED INTEREST IN ALL TRACTS AND COMMON AREAS WITHIN ALL THREE PHASES OF THE "FAIRWAY POINT" P.R.D., AS ULTIMATELY RECORDED.
- THE STORMWATER RUNOFF IS TO BE DIRECTED TO THE ADJACENT PRIVATE REGIONAL DRAINAGE FACILITIES, AS SHOWN ON "FAIRWAY POINT" P.R.D., PHASE 1, DIVISIONS 1 & 1a, RECORDED UNDER AUDITOR'S FILE NUMBER 4175742, AFTER PASSING THROUGH THE APPROVED ON-SITE WATER QUALITY FACILITIES.
- TRACTS ON THIS PLAT ARE SUBJECT TO THE PURPOSES STATED AS FOLLOWS, AS WELL AS FOR USES NOT FOUND TO BE INCONSISTENT WITH SAID PURPOSES:  
 TRACT "A": RESERVED FOR PEDESTRIAN INGRESS AND EGRESS, SANITARY SEWER PIPELINE, STORMWATER CONVEYANCE PIPELINE, AND ACCESS BY THE CITY OF OAK HARBOR TO SAID PIPELINES FOR THE PURPOSES ASSOCIATED THEREWITH AND HEREIN STATED.  
 TRACT "B": RESERVED FOR FUTURE DEVELOPMENT WITH THE REMAINING DIVISIONS OF PHASE 3, FAIRWAY POINT P.R.D., AS WELL AS EMERGENCY VEHICULAR & PEDESTRIAN ACCESS, POSTAL DELIVERY ACCESS, AND THE INSTALLATION AND MAINTENANCE OF POSTAL MAIL BOX STRUCTURES.  
 MAINTENANCE OF SAID TRACTS AND THE COSTS ASSOCIATED THEREWITH SHALL BE THE RESPONSIBILITY OF HOMEOWNER'S ASSOCIATION.
- IF THE HOMEOWNER'S ASSOCIATION DISBANDS, THE INDIVIDUAL PROPERTY OWNERS WILL BECOME RESPONSIBLE FOR THE MAINTENANCE AND BEST MANAGEMENT PRACTICES FOR THE COMMON AREA TRACTS AND NATURALLY VEGETATED TRACTS.
- THE HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ANY TRAILS, WALKWAYS, IRRIGATION SYSTEMS, PRIVATE LIGHTING, LANDSCAPING, RECREATION FACILITIES, AND ANY OTHER COMMONLY OWNED PRIVATE FACILITY WITHIN THE COMMON TRACTS FOR THE BENEFIT OF THE PROPERTY OWNERS, THEIR FAMILIES, AND GUESTS.
- SW FAIRWAY POINT DRIVE, AS SHOWN HEREON, IS A PUBLIC ROADWAY. THE PUBLIC ROADWAYS SHALL BE MAINTAINED BY THE CITY OF OAK HARBOR.
- ALL LANDSCAPE AREAS IN PUBLIC RIGHT-OF-WAY SHALL BE MAINTAINED BY THE DEVELOPER AND/OR SUCCESSOR(S) AND ASSIGN(S). SAID AREAS MAY BE REDUCED OR ELIMINATED IF DEEMED DETRIMENTAL TO CITY ROAD PURPOSES.
- ROOF AND LOT STORMWATER COLLECTION SYSTEMS TO BE PRIVATELY OWNED AND MAINTAINED FROM THE MANIFOLD INLET TO THE CATCH BASIN IN THE PUBLIC RIGHT-OF-WAY, UPSTREAM, INCLUDING MANIFOLD PIPING, STRUCTURES, AND ON-LOT PIPING AND APPURTENANCES.



**CURVE TABLE**

CURVE	DELTA	RADIUS	LENGTH	TANGENT
C1	121°10'	325.00	69.79	35.03
C2	79°03'28"	25.00	34.50	20.63
C3	85°55'50"	25.00	37.49	23.28



- LEGEND**
- INDICATES SET BRASS CAP, UNLESS OTHERWISE NOTED.
  - INDICATES SET REBAR AND CAP #32169, UNLESS OTHERWISE NOTED.
  - INDICATES FOUND MONUMENT AS NOTED.
  - INDICATES FOUND MONUMENT PER FAIRWAY POINT P.R.D., PHASE 1, DIVISION 1 & 1a, A.F. NO. 4175742
  - INDICATES PLAT BOUNDARY.
  - - - - INDICATES RECORD PLAT BOUNDARIES.
  - - - - INDICATES RECORD PLAT PHASE LINE.
  - BSBL INDICATES BUILDING SETBACK LINE.
  - GBSBL INDICATES GARAGE BUILDING SETBACK LINE.
- NOTE: SET REBAR & CAP #32169 AT EACH LOT LINE INTERSECTION, SET FLUSH WITH FINISHED GRADE, UNLESS OTHERWISE NOTED. ALL SET REBAR MUST BE A MINIMUM OF 3/8" DIAMETER AND MINIMUM 18" LONG.



**SUMMIT ENGINEERS & SURVEYORS, INC.**  
 2218 OLD HIGHWAY 99 SOUTH ROAD, MOUNT VERNON, WA. 98273  
 PHONE: (360) 416-4999 FAX: (360) 416-4949  
 E-MAIL: YSK@SUMMITES.COM



**FAIRWAY POINT P.R.D. - DIVISION 2**  
 SEC. 4, TWP. 32 N. RNG. 1 E., W.M.  
 CITY OF OAK HARBOR, ISLAND COUNTY, WASHINGTON

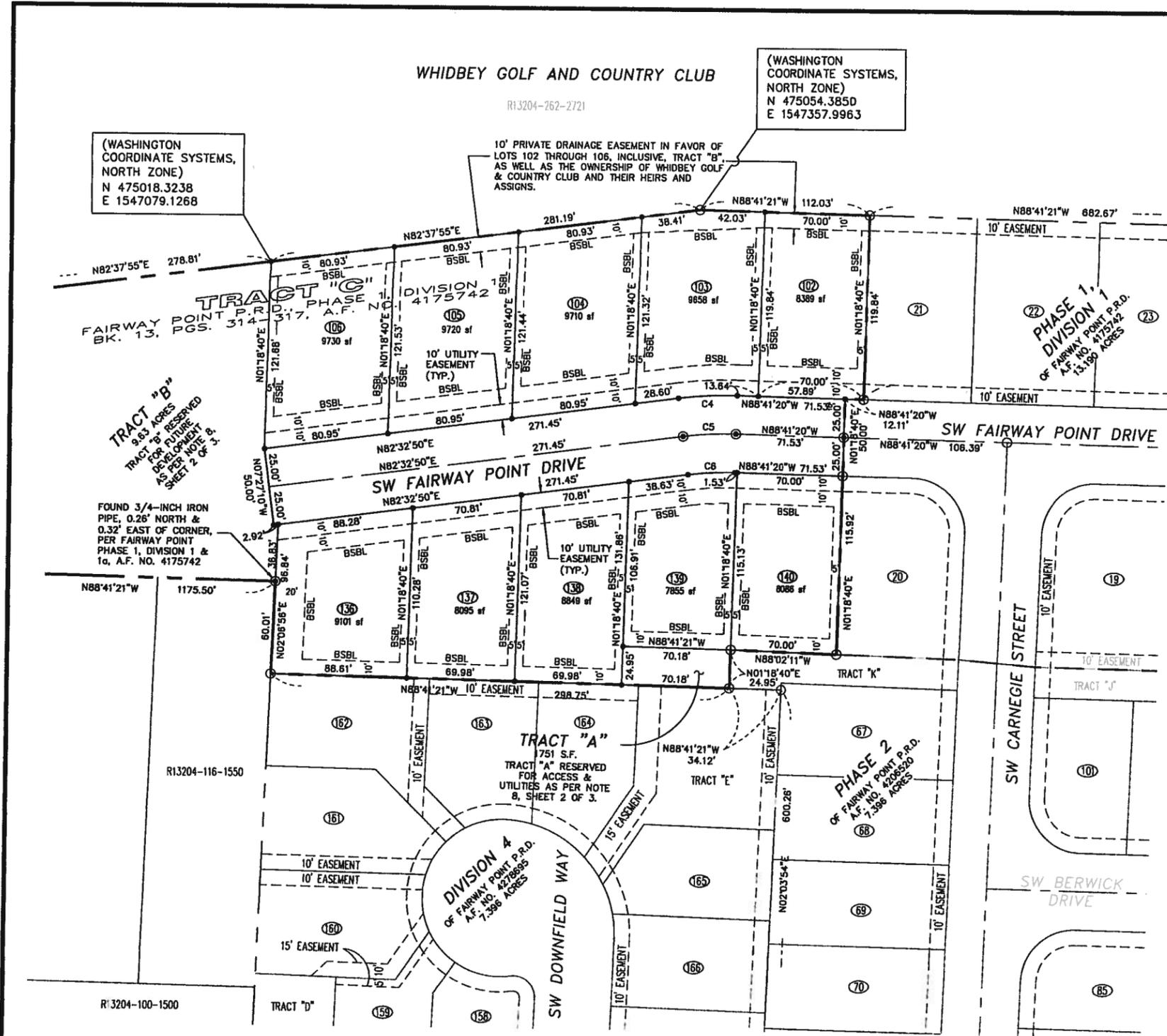
JOB NO. 02062  
 DRAWING NO. Final Plat  
 DRAWN BY: SGB  
 CHECKED BY: YSK

SHEET 2 OF 3

02062

**FAIRWAY POINT P.R.D.  
PHASE 3, DIVISION 1**

SEC. 4, TWP. 32 N., RNG. 1 E., W.M.  
CITY OF OAK HARBOR  
ISLAND COUNTY, WASHINGTON



(WASHINGTON COORDINATE SYSTEMS, NORTH ZONE)  
N 475018.3238  
E 1547079.1268

(WASHINGTON COORDINATE SYSTEMS, NORTH ZONE)  
N 475054.3850  
E 1547357.9963

WHIDBEY GOLF AND COUNTRY CLUB  
R13204-762-2721

10' PRIVATE DRAINAGE EASEMENT IN FAVOR OF LOTS 102 THROUGH 106, INCLUSIVE, TRACT "B", AS WELL AS THE OWNERSHIP OF WHIDBEY GOLF & COUNTRY CLUB AND THEIR HEIRS AND ASSIGNS.

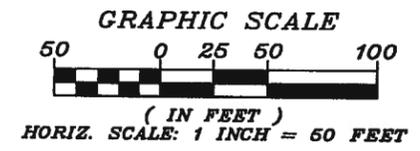
TRACT "C"  
FAIRWAY POINT P.R.D. PHASE 3, DIVISION 1  
A.F. NO. 4175742

TRACT "B"  
9.83 ACRES  
TRACT "B" RESERVED FOR FUTURE DEVELOPMENT AS PER NOTE 8, SHEET 2 OF 3.

FOUND 3/4-INCH IRON PIPE, 0.26' NORTH & 0.32' EAST OF CORNER, PER FAIRWAY POINT PHASE 1, DIVISION 1 & 1a, A.F. NO. 4175742

R13204-116-1550

R13204-100-1500



CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C4	8°45'50"	250.00	38.24	19.16
C5	8°45'50"	225.00	34.42	17.24
C6	8°45'50"	200.00	30.59	15.33

- LEGEND**
- ⊙ INDICATES SET BRASS CAP, UNLESS OTHERWISE NOTED.
  - INDICATES SET REBAR AND CAP #32169, UNLESS OTHERWISE NOTED.
  - ⊙ INDICATES FOUND MONUMENT AS NOTED.
  - INDICATES FOUND MONUMENT PER FAIRWAY POINT P.R.D., PHASE 1, DIVISION 1 & 1a, A.F. NO. 4175742
  - INDICATES PLAT BOUNDARY.
  - - - INDICATES RECORD PLAT BOUNDARIES.
  - - - INDICATES RECORD PLAT PHASE LINE.
  - BSBL INDICATES BUILDING SETBACK LINE.
  - GBSBL INDICATES GARAGE BUILDING SETBACK LINE.
- NOTE: SET REBAR & CAP #32169 AT EACH LOT LINE INTERSECTION, SET FLUSH WITH FINISHED GRADE, UNLESS OTHERWISE NOTED.  
ALL SET REBAR MUST BE A MINIMUM OF 3/8" DIAMETER AND MINIMUM 18" LONG.

**BASIS OF BEARING**  
THE CENTERLINE OF SW FAIRWAY POINT DRIVE AS SHOWN ON SHEET 4 OF 4 SHEETS, FAIRWAY POINT P.R.D., PHASE 1, DIVISION 1 AND 1a, BEARING NORTH 88° 41' 20" WEST, IS THE BASIS OF BEARING FOR THIS PLAT.



**SUMMIT ENGINEERS & SURVEYORS, INC.**  
2218 OLD HIGHWAY 99 SOUTH ROAD, MOUNT VERNON, WA. 98273  
PHONE: (360) 416-4999 FAX: (360) 416-4949  
E-MAIL: YSK@SUMMITES.COM



**FAIRWAY POINT P.R.D. - DIVISION 2**  
SEC. 4, TWP. 32 N. RNG. 1 E., W.M.  
CITY OF OAK HARBOR, ISLAND COUNTY, WASHINGTON

JOB NO. 02062  
DRAWING NO. Final Plat  
DRAWN BY: SGB  
CHECKED BY: YSK

SHEET 3 OF 3

# FAIRWAY POINT

LANDED GENTRY  
DEVELOPMENT, INC.

Underwood & Associates

908 7th Street  
Anacortes, WA 98221  
360-770-7601

MIKE UNDERWOOD  
E-mail: mkunderwood@isomedia.com

### NOTES

#### PROJECT DATA:

- TOTAL SITE AREA: 38.04 acres
- PROJECT DENSITY: 4.9 lots/acre
- NUMBER OF LOTS: 140 LOTS
- ZONING: R-1
- COMPREHENSIVE PLAN: LOW DENSITY, RESIDENTIAL
- DEVELOPER: LANDED GENTRY DEVELOPMENT, INC.  
504 E. FAIRHAVEN AVE.  
BURLINGTON, WA 98233  
(360) 755-8021
- CONSULTANT: SUMMIT ENGINEERS & SURVEYORS, INC.  
2218 OLD HIGHWAY 99 SO. RD.  
MOUNT VERNON, WA 98273  
(360) 416-4999
- WATER SOURCE: CITY OF OAK HARBOR
- SEWAGE DISPOSAL: CITY OF OAK HARBOR

- BUILDING SETBACKS
- FRONT STREET: 20' TO BUILDING
- SIDE STREET: 10' TO BUILDING  
20' TO GARAGE
- INTERIOR SIDE YARD: 5'
- REAR YARD: 10'
- NEW STREET TREE NORWAY MAPLE  
2" CALIPER ACER PLATANOIDES  
OR ALTERNATE ACCEPTABLE TO  
THE CITY OF OAK HARBOR



- EXISTING TREE  
(SEE PLAN FOR TREES TO BE  
RETAINED PER RETENTION  
PROGRAM)
- TREE RETENTION AREA - SEE A3  
AND CIVIL DRAWINGS
- FENCES WITHIN THE TREE RETENTION  
AREA SHALL NOT EXCEED 42" IN  
HEIGHT.

#### DRAWING INDEX

- A1 SITE PLAN  
TITLE SHEET, PROJECT INFO  
TYPICAL STREETSCAPE ELEVATION
- A2 PHASE PLAN  
LOT AREAS
- A3 OPENSOURCE PLAN  
TRAIL PLAN  
USABLE AREA CALCULATIONS
- A4 BUILDING ENVELOPE PLAN  
BUILDING TYPE PLAN  
FENCE DETAILS
- A5 LANDSCAPE PLAN  
STREET TREES  
TYPICAL RESIDENCE LANDSCAPE PLAN

LANDED /  
GENTRY  
DEVELOPMENT

OAK HARBOR, WA  
FAIRWAY POINT

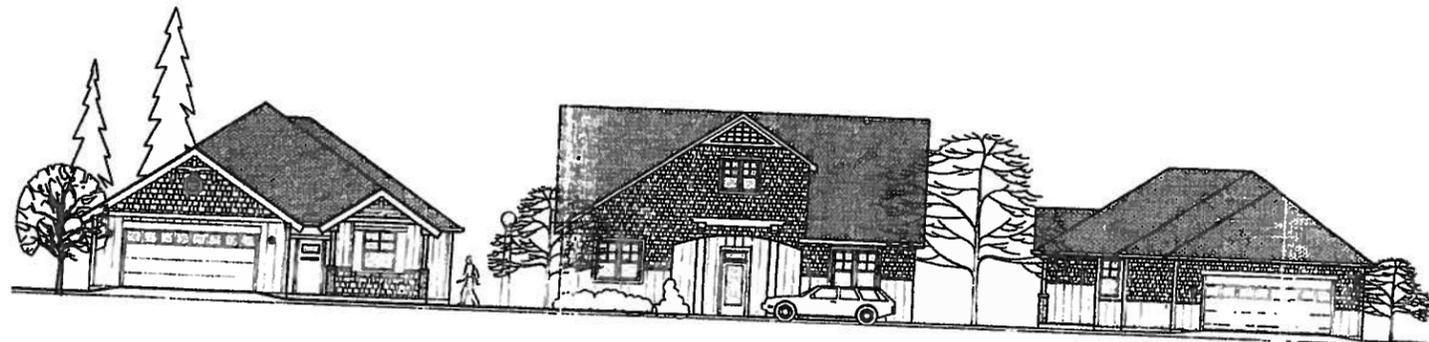
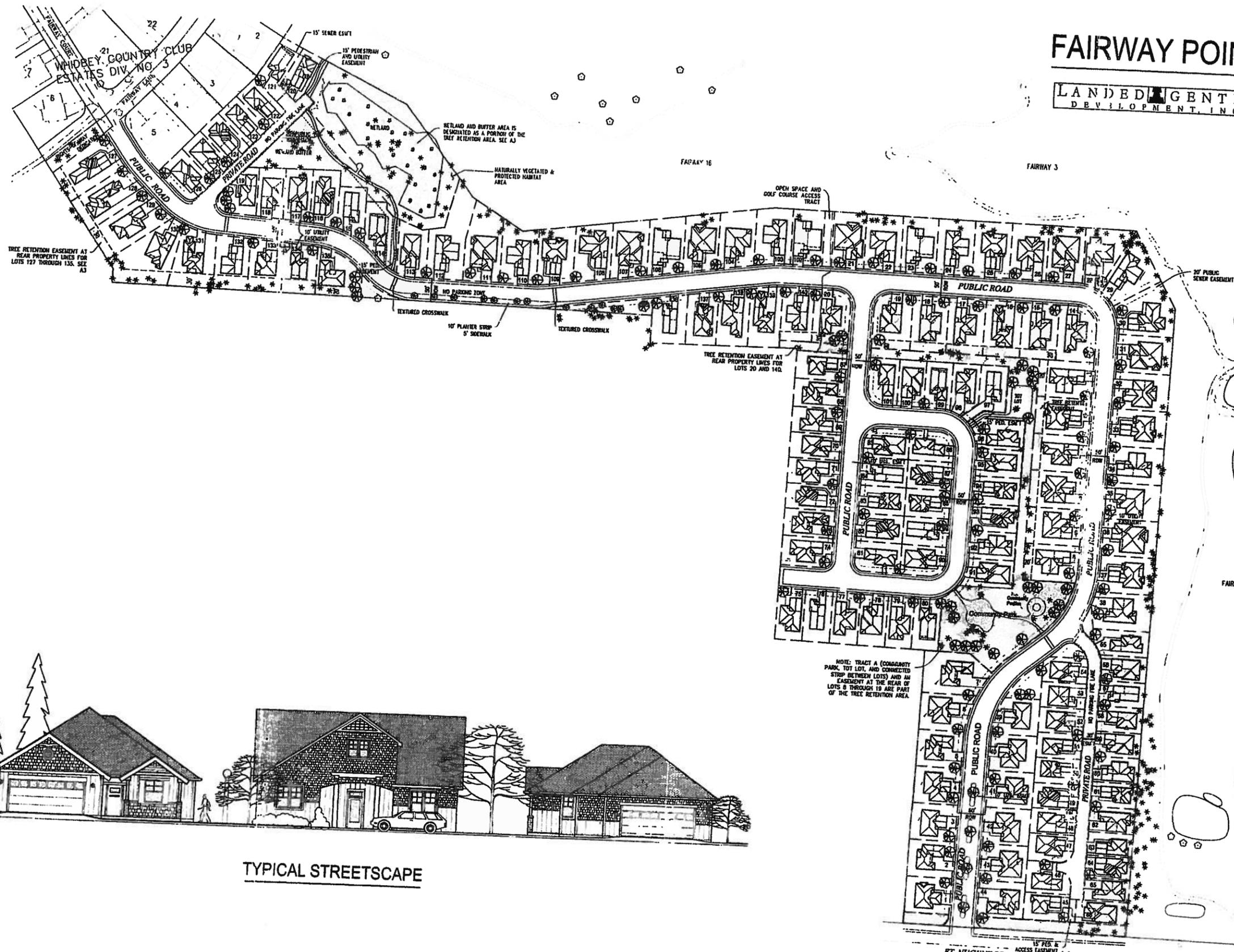
SITE PLAN  
STREETSCAPE

DATE  
8/25/04

SHEET

A1

EXHIBIT B



TYPICAL STREETSCAPE

NOTE: TRACT A (COMMUNITY  
PARK, TOT LOT, AND CONNECTED  
STRIP BETWEEN LOTS) AND AN  
EASEMENT AT THE REAR OF  
LOTS 8 THROUGH 19 ARE PART  
OF THE TREE RETENTION AREA.

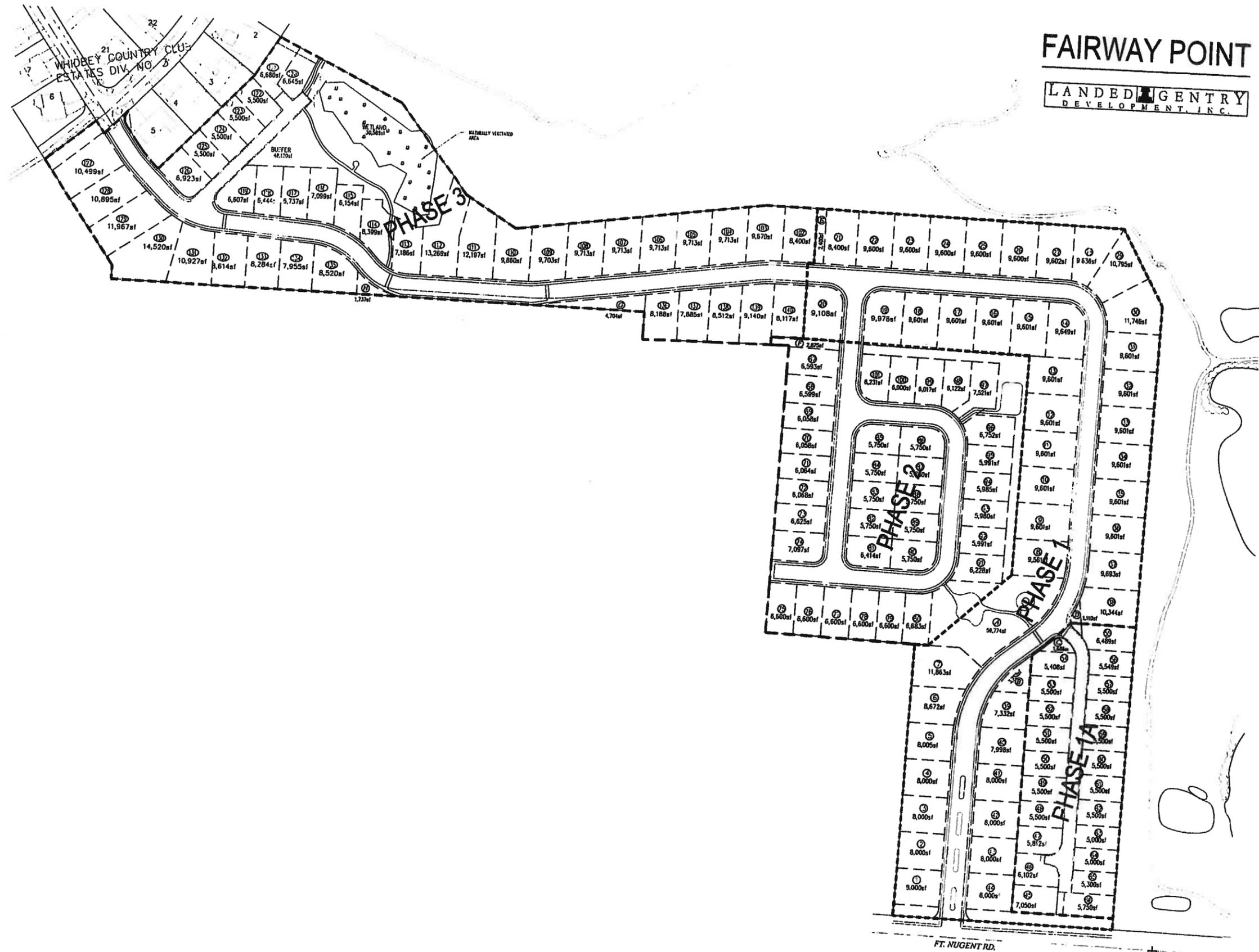


SITE PLAN

SCALE 100' 0 50 100 200 300

SEP 23 2004

AS APPROVED BY  
PLANNING COMMITTEE WITH AMENDMENTS  
9/29/04 RECEIVED TO CONDITIONS  
OF APPROVAL



**FAIRWAY POINT**  
**LANDED GENTRY**  
 DEVELOPMENT, INC.

**Underwood & Associates**  
 909 7th Street  
 Anacortes, WA 98221  
 360-770-7501  
 MIKE UNDERWOOD  
 E-mail: mikeunderwood@uomsa.com

**NOTES**  
 28 LOT NUMBER  
 9,604sf LOT SIZE  
 --- PHASE BOUNDARY LINE

**LANDED / GENTRY DEVELOPMENT**  
 OAK HARBOR, WA  
**FAIRWAY POINT**  
 PHASE PLAN  
 LOT AREAS

DATE: 8/25/04 SHEET: A2  
 REVISIONS:



RECEIVED  
 SEP 23 2004

# FAIRWAY POINT

LANDED GENTRY DEVELOPMENT, INC.

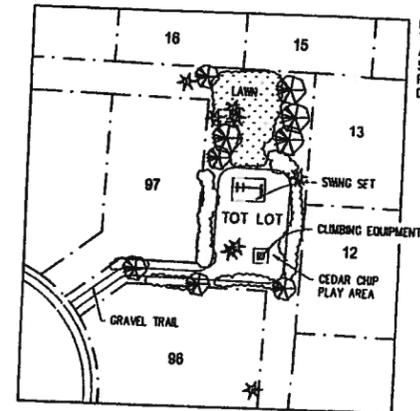
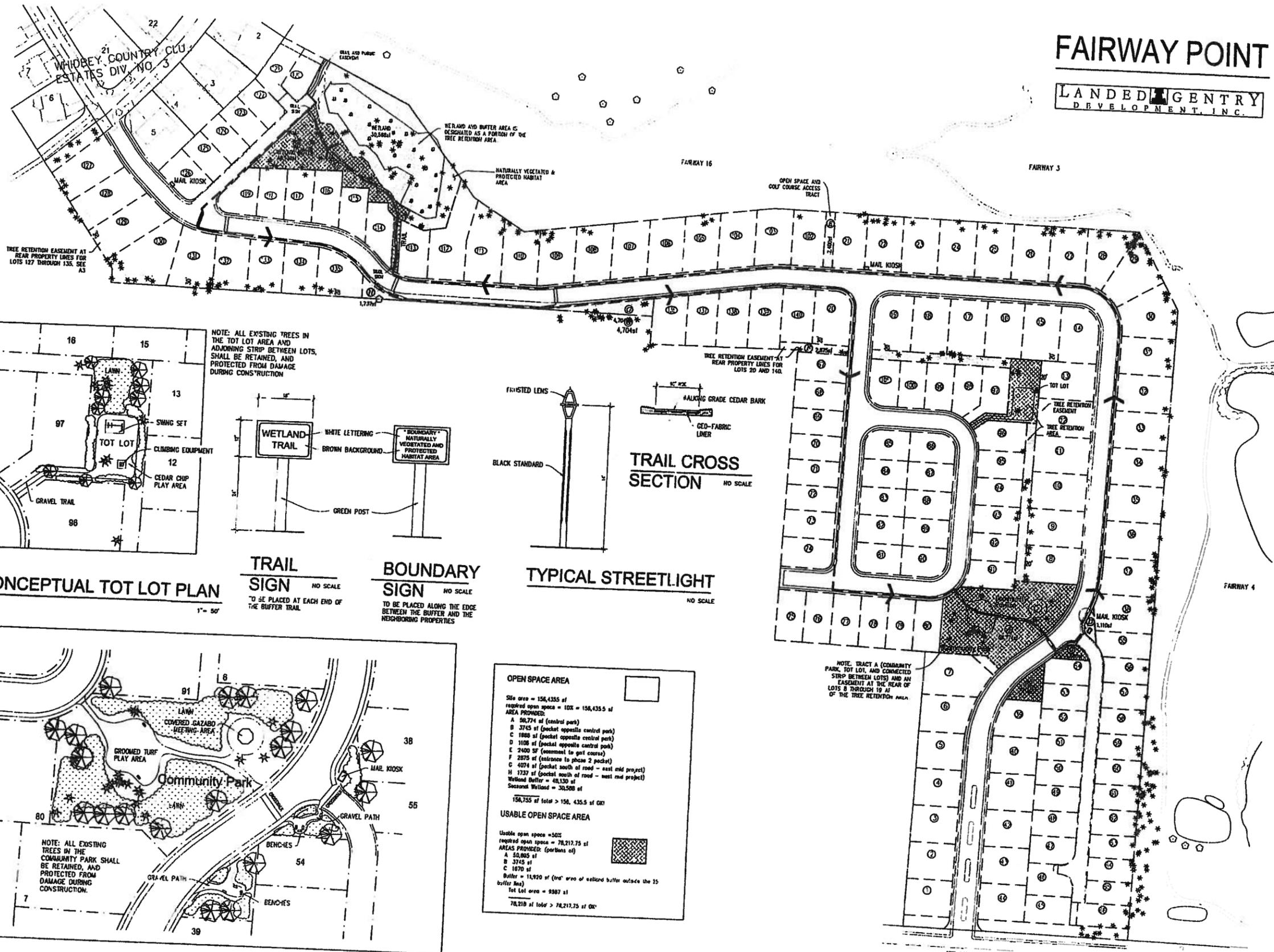
**Underwood & Associates**

808 7th Street  
Anacortes, WA 98221  
360-770-7501

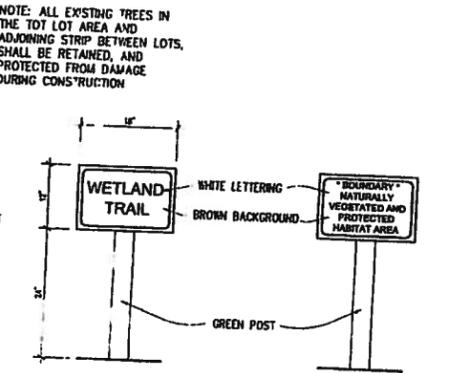
MIKE UNDERWOOD  
E-mail: mku@underwoodassociates.com

**NOTES**

- WALKING LOOP (1.09 miles)
- STREET LIGHT
- MAIL KIOSK
- EXISTING TREE  
[SEE PLAN FOR TREES TO BE RETAINED PER RETENTION PROGRAM]
- FENCES WITHIN THE TREE RETENTION AREA SHALL NOT EXCEED 42" IN HEIGHT

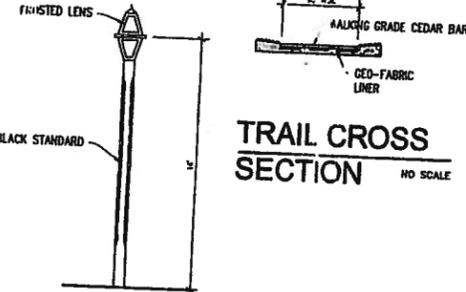


**CONCEPTUAL TOT LOT PLAN**  
1" = 50'



**TRAIL SIGN** NO SCALE  
TO BE PLACED AT EACH END OF THE BUFFER TRAIL

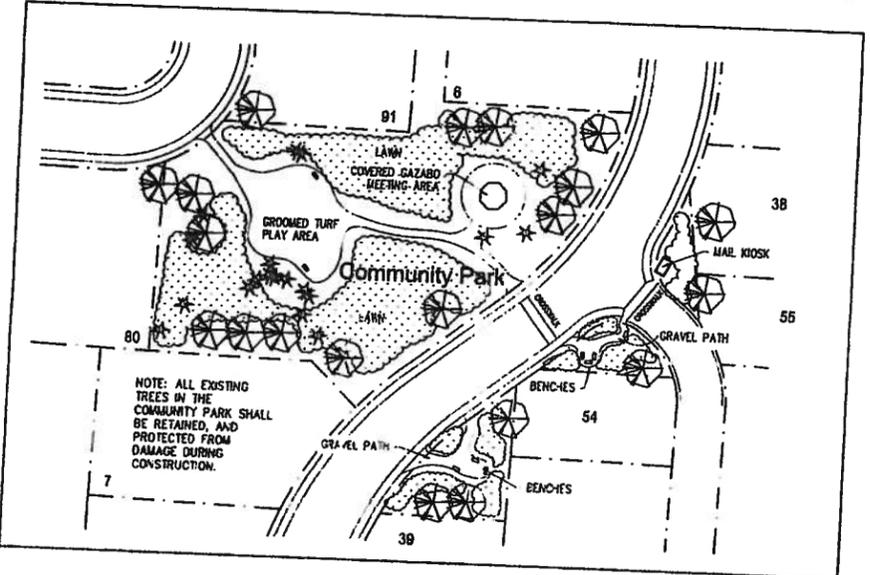
**BOUNDARY SIGN** NO SCALE  
TO BE PLACED ALONG THE EDGE BETWEEN THE BUFFER AND THE NEIGHBORING PROPERTIES



**TRAIL CROSS SECTION** NO SCALE



**TYPICAL STREETLIGHT** NO SCALE



**CONCEPTUAL COMMUNITY PARK PLAN**  
1" = 50'

OPEN SPACE AREA	
Site area = 156,435.5 sf	required open space = 10% = 15,643.55 sf
AREA PROVIDED:	
A 50,774 sf (central park)	
B 3745 sf (pocket opposite central park)	
C 1880 sf (pocket opposite central park)	
D 1100 sf (pocket opposite central park)	
E 2400 SF (mezzanine to golf course)	
F 2870 sf (mezzanine to phase 2 pocket)	
G 4078 sf (pocket south of road - east end project)	
H 1737 sf (pocket south of road - west end project)	
Wetland Buffer = 48,130 sf	
Secondary Wetland = 30,580 sf	
<b>156,755 sf total &gt; 156,435.5 sf OR</b>	
USABLE OPEN SPACE AREA	
Usable open space = 50%	
required open space = 78,217.75 sf	
AREAS PROVIDED: (portions of)	
A 50,865 sf	
B 3745 sf	
C 1870 sf	
Buffer = 11,920 sf (net area of wetland buffer outside the 15' buffer line)	
Tot Lot area = 9387 sf	
<b>78,218 sf total &gt; 78,217.75 sf OR</b>	

NOTE: TRACT A (COMMUNITY PARK, TOT LOT, AND CONNECTED STRIP BETWEEN LOTS) AND AN EASEMENT AT THE REAR OF LOTS B THROUGH 19 AT OF THE TREE RETENTION AREA.

LANDED / GENTRY DEVELOPMENT

OAK HARBOR, WA  
FAIRWAY POINT

OPEN SPACE PLAN  
USABLE AREA  
TRAIL MAP

DATE 8/25/04 SHEET

**A3**

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# FAIRWAY POINT

LANDED / GENTRY  
DEVELOPMENT, INC.

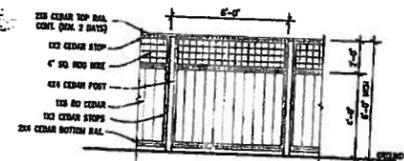
Underwood & Associates

909 7th Street  
Anacortes, WA 98221  
360-770-7501

MIKE UNDERWOOD  
E-mail: mku@underwood.com

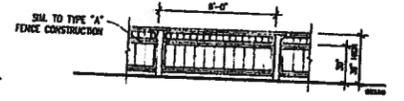
NOTES  
29 LOT NUMBER  
--- BUILDING TYPE ZONE LINE

- FENCE:**
- AT COMMON PROPERTY LINE WITH ANOTHER RESIDENCE OR COMMON OPENSACES NOT LISTED BELOW:  
A TYPE "A" SOLID CEDAR FENCE NOT EXCEEDING 6" IN HEIGHT IS ALLOWED.
  - AT GOLF COURSE PROPERTY LINE:  
A TYPE "B" CEDAR FENCE NOT EXCEEDING 36" IN HEIGHT MAY BE INSTALLED ONLY WITH PRIOR APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE.
  - AT WETLAND BUFFER:  
A TYPE "C" 30" HIGH CEDAR SPLIT RAIL FENCE SHALL BE INSTALLED AT THE PROPERTY LINE.
  - WITHIN TREE RETENTION AREA:  
FENCES WITHIN THE TREE RETENTION AREA SHALL NOT EXCEED 42" IN HEIGHT.



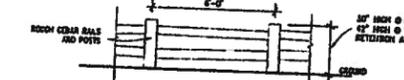
**(A) 6" CEDAR FENCE ELEVATION**

FOR USE AROUND AND BETWEEN RESIDENCES FOR PRIVACY



**(B) 36" CEDAR FENCE ELEVATION**

FOR USE AT GOLF COURSE AND GOLF COURSE REAR YARDS ONLY



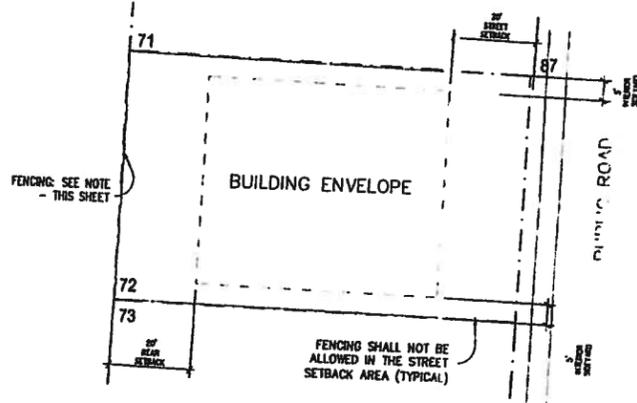
**(C) SPLIT RAIL FENCE**

FOR USE ALONG THE REAR OF LOTS ADJACENT TO THE BUFFER AREA (LOTS 112 TO 120), AND ALSO ALONG THE REAR OF LOTS CONTAINING TREE RETENTION AREAS (LOTS 140, 8 TO 20)

FAIRWAY POINT VILLAS  
1400 TO 2000 SF MODELS

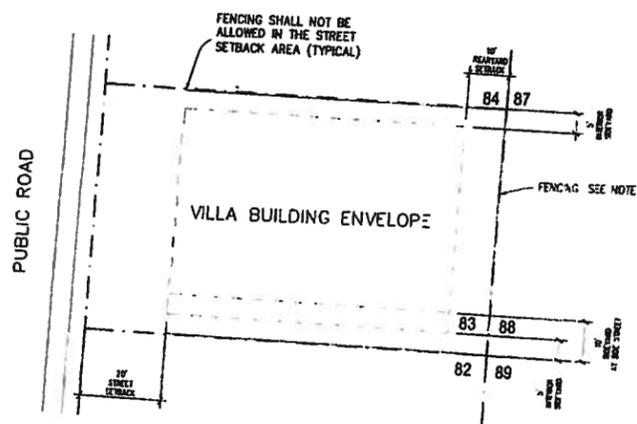
FAIRWAY CUSTOM HOMES  
1800 TO 2600 SF MODELS

FAIRWAY POINT INTERIOR  
1400 TO 2400 SF MODELS  
ONE AND TWO STORY



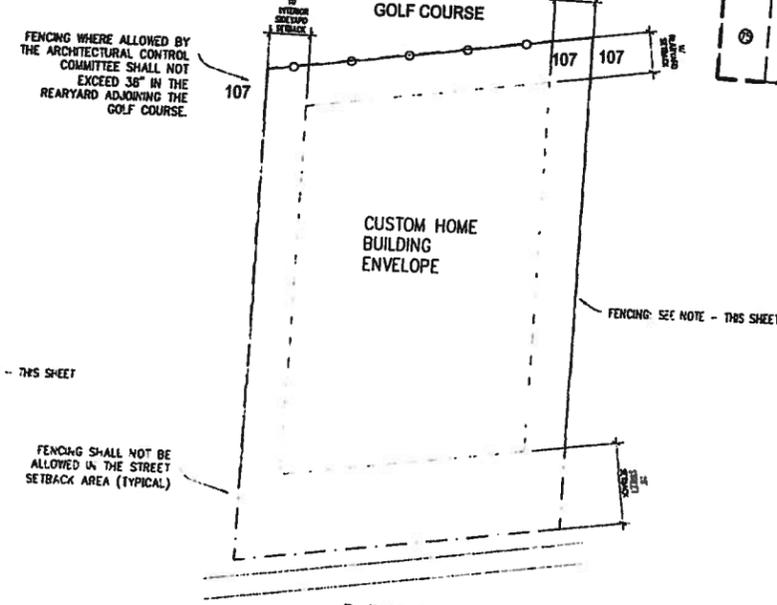
**TYPICAL BUILDING ENVELOPE PLAN AT PROJECT PERIMETER**

WHERE ABUTTING ADJACENT RESIDENTIAL 1"=20'



**TYPICAL FAIRWAY POINT INTERIOR AND VILLA BUILDING ENVELOPE PLAN**

FENCING PLAN 1"=20'

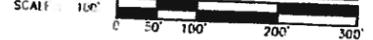


**TYPICAL FAIRWAY POINT CUSTOM ENVELOPE PLAN**

FENCING PLAN 1"=20'



BUILDING TYPES AND FENCING PLAN



FAIRWAY POINT VILLAS  
1400 TO 2000 SF MODELS

LANDED / GENTRY  
DEVELOPMENT

OAK HARBOR, WA  
FAIRWAY POINT

BUILDING ENVELOPE PLAN  
FENCING PLAN  
BUILDING TYPES

DATE 8/25/04 SHEET

A4

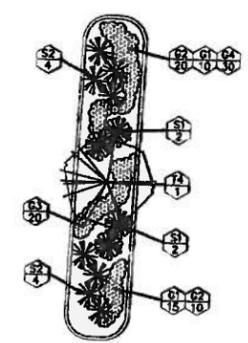
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SEP 23 2004

REVISIONS

**NOTES**

-  NEW STREET TREE NORWAY MAPLE  
2" CALIPER ACER PLATANODES  
OR ALTERNATE ACCEPTABLE TO  
THE CITY OF OAK HARBOR
-  EXISTING TREE  
(SEE PLAN FOR TREES TO BE  
RETAINED PER RETENTION  
PROGRAM)
-  TREE RETENTION AREA - SEE A3  
AND CIVIL DRAWINGS  
FENCES WITHIN THE TREE RETENTION  
AREA SHALL NOT EXCEED 42" IN  
HEIGHT.



**TYPICAL ISLAND LANDSCAPE PLAN**

**LANDED / GENTRY DEVELOPMENT**

OAK HARBOR, WA  
FAIRWAY POINT

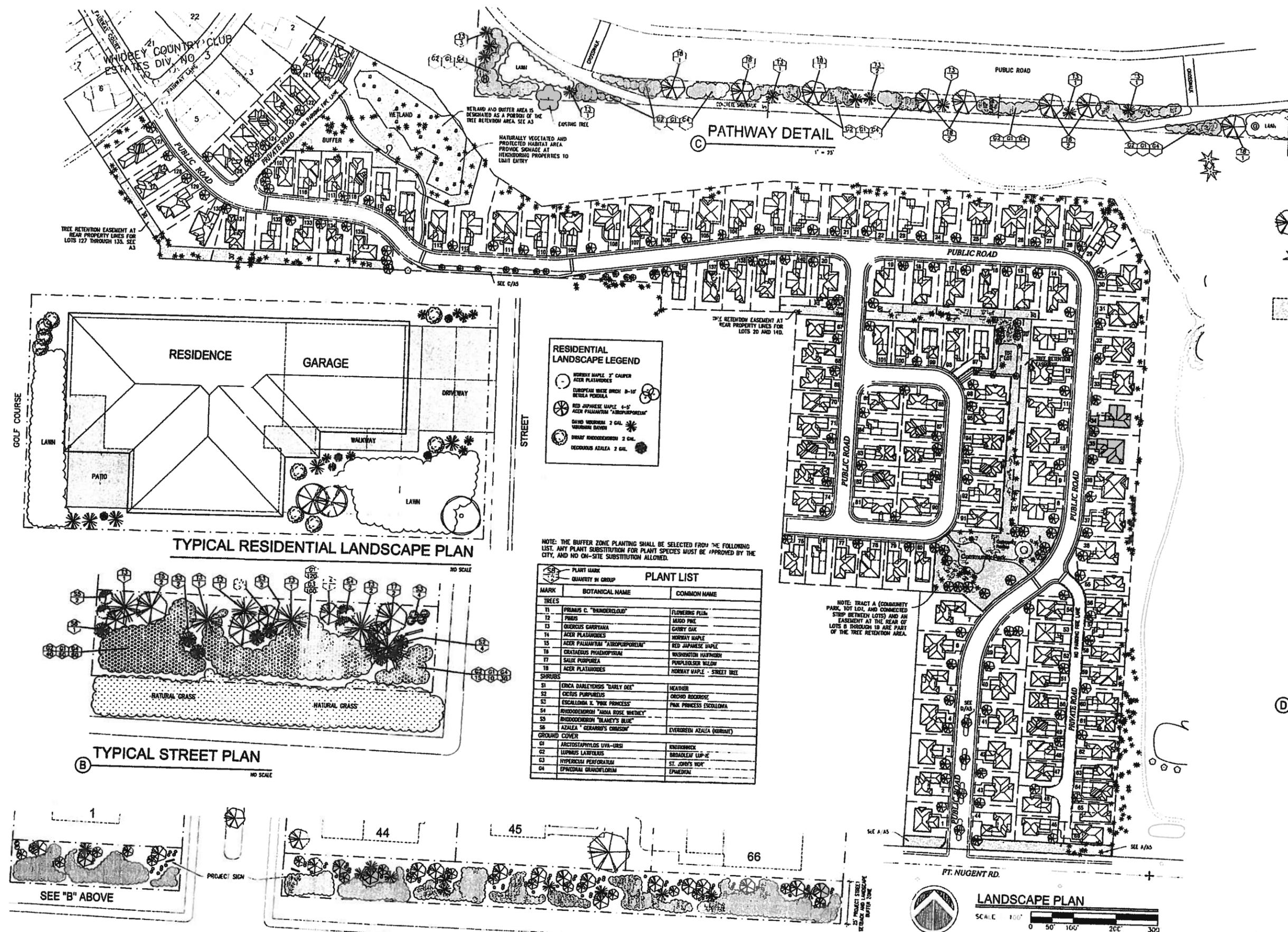
LANDSCAPE PLAN  
TYPICAL RESIDENTIAL  
LANDSCAPE PLAN

DATE 8/25/04 SHEET

**A5**

REVISIONS

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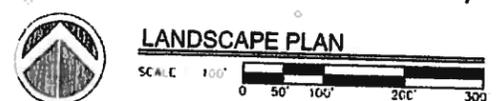
**RESIDENTIAL LANDSCAPE LEGEND**

-  NORWAY MAPLE 2" CALIPER  
ACER PLATANODES
-  EUROPEAN WAXE BIRCH 8-10"  
WETLAND PONDOLA
-  RED JAPANESE MAPLE 6-8"  
ACER PALMATHUM "ATROPURPUREUM"
-  DAVID WOODRUFF 2 GAL  
VERONIAN BAYNE
-  DWARF RHODODENDRON 2 GAL  
RECORDUS AZALEA 2 GAL

NOTE: THE BUFFER ZONE PLANTING SHALL BE SELECTED FROM THE FOLLOWING LIST. ANY PLANT SUBSTITUTION FOR PLANT SPECIES MUST BE APPROVED BY THE CITY, AND NO ON-SITE SUBSTITUTION ALLOWED.

MARK	BOTANICAL NAME	COMMON NAME
<b>TREES</b>		
T1	PRUNUS C. "BRANDERCLIFF"	FLOWERING PLUM
T2	PIRUS	MIRDO PINE
T3	QUERCUS CARYCANA	CARRY OAK
T4	ACER PLATANODES	NORWAY MAPLE
T5	ACER PALMATHUM "ATROPURPUREUM"	RED JAPANESE MAPLE
T6	CRATAEGUS PHAEOPIRUM	WASHINGTON HAWTHORN
T7	SALIX PURPUREA	PURPLELEAF WILLOW
T8	ACER PLATANODES	NORWAY MAPLE - STREET TREE
<b>SHRUBS</b>		
S1	ERICA DARLEYDRUS "DARLY DEE"	HEATHER
S2	CITRUS PURPUREUS	ORCHID ROSEWOOD
S3	ESCALONIA X "PINK PRINCESS"	PINK PRINCESS ESCALONIA
S4	RHOODODENDRON "ANGA ROSE WHITNEY"	
S5	RHOODODENDRON "BLANCY'S BLUE"	
S6	AZALEA "GERARD'S OBSESSION"	EVERGREEN AZALEA (HIBRIDE)
<b>GROUND COVER</b>		
G1	MASTIGIAPHYLLOUS UVA-URSI	INDIANBERRY
G2	LUPINUS LARICUS	ORIGANUM LEAF LIP-IT
G3	HYPERICUM PERFORATUM	ST. JOHN'S WORT
G4	EPHEDRUM GRANIFLORUM	EPHEDRON

NOTE: TRACT A (COMMUNITY PARK, TOWN LOT, AND CONNECTED STRIP BETWEEN LOTS) AND AN EASEMENT AT THE REAR OF LOTS 6 THROUGH 18 ARE PART OF THE TREE RETENTION AREA.



**LANDSCAPE PLAN**  
SCALE 1" = 100'  
0 50' 100' 200' 300'

**TREE RETENTION PLAN**  
CONSERVATION AND TREE RETENTION EASEMENT WILL BE PLACED WITHIN ALL OPEN SPACE AND BUFFER TRACTS. FOLLOWING INITIAL CLEARING OF RIGHTS-OF-WAYS, DEVELOPMENT SERVICES AND THE PROPERTY OWNER WILL EVALUATE EXISTING TREES AND UNDERBRUSH LOCATED WITHIN TRACTS TO DETERMINE IF ADDITIONAL TREE ENHANCEMENT WILL BE NECESSARY TO MEET THE INTENT OF THE TREE RETENTION ORDINANCE.

**LEGAL DESCRIPTION:**

ALL OF TRACT "C", PLAT OF FAIRWAY POINT P.R.D., PHASE 1, DIVISION 1 & DIVISION 1a, RECORDED IN VOLUME 13 OF PLATS, PAGES 314 THROUGH 317, INCLUSIVE, AS PER AUDITOR'S FILE NUMBER 4175742, RECORDS OF ISLAND COUNTY, STATE OF WASHINGTON.

SITUATE IN THE COUNTY OF ISLAND, STATE OF WASHINGTON.

**DEDICATION**

KNOW ALL MEN THAT BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS IN FEE SIMPLE OR CONTRACT PURCHASER AND MORTGAGE HOLDER OF THE LAND HEREBY PLATTED, HEREBY DECLARE THIS PLAT AND DEDICATE TO THE USE OF THE PUBLIC FOREVER, SW FAIRWAY POINT DRIVE SHOWN HEREON AND THE USE THEREOF FOR ALL PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC ROADWAY PURPOSES; ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS AND BLOCKS SHOWN HEREON IN THE ORIGINAL REASONABLE GRADING OF ALL SUCH STREETS SHOWN HEREON.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

KENDRA DECKER, MANAGER FP3, LLC      GREGG D. COOLEY, BENEFICIARY

ASHER COHEN, BENEFICIARY      CINDY M. COHEN, BENEFICIARY

**ACKNOWLEDGEMENT**

CORPORATION

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )  
THIS IS TO CERTIFY THAT ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2013, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, HAVE PERSONALLY APPEARED KENDRA DECKER, MANAGER OF FP3, L.L.C., A WASHINGTON LIMITED LIABILITY CORPORATION, TO ME KNOWN TO BE THE REPRESENTATIVE OF SAID CORPORATION WHO EXECUTED THE WITHIN AND FOREGOING DEDICATION AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT SHE IS THE INDIVIDUAL AUTHORIZED TO EXECUTE THE SAID INSTRUMENT AND THAT THE SEAL AFFIXED IS THE CORPORATE SEAL OF SAID CORPORATION, WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST MENTIONED ABOVE.

NOTARY PUBLIC IN AND FOR THE STATE OF \_\_\_\_\_  
RESIDING AT \_\_\_\_\_

**ACKNOWLEDGEMENT**

BENEFICIARY

STATE OF WASHINGTON      )  
COUNTY OF \_\_\_\_\_      ) SS.

I HEREBY CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT GREGG D. COOLEY, BENEFICIARY, UNDER DEED OF TRUST, RECORDED AUGUST 23, 2012, UNDER AUDITOR'S FILE NUMBER 4321798, IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT AS THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: \_\_\_\_\_, 2013

NOTARY PUBLIC FOR THE STATE OF WASHINGTON  
MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING AT: \_\_\_\_\_

**ACKNOWLEDGEMENT**

BENEFICIARY

STATE OF WASHINGTON      )  
COUNTY OF \_\_\_\_\_      ) SS.

I HEREBY CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT ASHER COHEN AND CINDY M. COHEN, BENEFICIARIES, UNDER DEED OF TRUST RECORDED UNDER AUDITOR'S FILE NUMBER 4321799, ARE THE PERSONS WHO APPEARED BEFORE ME, AND SAID PERSONS ACKNOWLEDGED THAT THEY SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT AS THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: \_\_\_\_\_, 2013

NOTARY PUBLIC FOR THE STATE OF WASHINGTON  
MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING AT: \_\_\_\_\_

**EASEMENT PROVISION**

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF OAK HARBOR, PUGET SOUND ENERGY/POTELCO, FRONTIER COMMUNICATIONS, CASCADE NATURAL GAS CORPORATION, U.S. POSTAL SERVICE, COMCAST, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE PUBLIC ROADWAYS, AND UTILITY EASEMENTS (10') SHOWN HEREON, AND ALONG THE ROUTE OF THE AS BUILT OR YET TO BE BUILT UTILITY ALIGNMENTS, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE, MAINTAIN AND REMOVE UTILITY SYSTEMS, LINES, FIXTURES, AND APPURTENANCES ATTACHED THERETO, FOR THE PURPOSE OF PROVIDING UTILITY SERVICES TO THE LOTS WITHIN THIS P.R.D. AND OTHER PROPERTIES AS MAY BE DEVELOPED IN ASSOCIATION WITH EXPANSIONS TO THIS P.R.D., TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSES STATED, WITH THE UNDERSTANDING THAT ANY GRANTEE SHALL BE RESPONSIBLE FOR ALL UNNECESSARY DAMAGE IT CAUSES TO ANY REAL PROPERTY OWNER IN THIS P.R.D. OR TO THE HOMEOWNERS ASSOCIATION BY THE EXERCISE OF RIGHTS AND PRIVILEGES HEREIN GRANTED. ALL COMMON ELEMENT AREAS AND ALL UNDEVELOPED LOTS IN THIS PHASE ARE SUBJECT TO DEVELOPMENT RIGHTS SET FORTH IN THE DECLARATION. AN ADDITIONAL EASEMENT IS HEREBY RESERVED TO PUGET SOUND ENERGY, INC., THAT RESTRICTS INSTALLATION OF DRIVEWAYS, PARKING SPACES, AND ANY OTHER VEHICULAR ACTIVITIES WITHIN A FIVE (5) FOOT PERIMETER AROUND ELECTRICAL VAULTS, TRANSFORMERS, PEDESTALS, AND HANDHOLDS LOCATED WITHIN SAID P.R.D., ALSO AN EASEMENT RESTRICTION TO MAINTAIN A TEN (10) FOOT CLEARANCE BETWEEN SAID ELECTRIC TRANSFORMERS AND COMBUSTIBLE WALLS (INCLUDING STUCCO), DOORS, WINDOWS, VENTS, FIRE ESCAPES AND OTHER BUILDING OPENING AND A THREE (3) FOOT CLEARANCE BETWEEN SAID ELECTRIC TRANSFORMERS AND NON-COMBUSTIBLE WALLS (INCLUDING BRICK, CONCRETE, STEEL AND STONE).

**FAIRWAY POINT P.R.D.  
PHASE 3, DIVISION 1  
SEC. 4, TWP. 32 N., RNG. 1 E., W.M.  
CITY OF OAK HARBOR  
ISLAND COUNTY, WASHINGTON**

**PARCEL NUMBER**

PROP. I.D.: 807720  
GEO. I.D.: S6612-00-0000C-0

**COVENANTS, CONDITIONS, RESERVATIONS AND RESTRICTIONS**

FILED UNDER AF# 4175744 AND 4175743

**DECLARATION**

KNOW ALL MEN BY THESE PRESENT THAT WE, THE UNDERSIGNED DEVELOPER(S) HEREBY CERTIFY THAT THE ATTACHED PLANNED RESIDENTIAL DEVELOPMENT, PLAT OF "FAIRWAY POINT" IS MADE AS OUR FREE AND VOLUNTARY ACT AND DEED.

KENDRA DECKER, MANAGER, FP3, L.L.C.

GREGG D. COOLEY, BENEFICIARY, A.F. 4321798

ASHER COHEN, BENEFICIARY, A.F. 4321799

CINDY M. COHEN, BENEFICIARY, A.F. 4321799

**APPROVALS**

EXAMINED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

OAK HARBOR CITY ENGINEER

APPROVED BY THE COUNCIL OF THE CITY OF OAK HARBOR, WASHINGTON  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

MAYOR OF OAK HARBOR      CLERK OF OAK HARBOR

I HEREBY CERTIFY THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS AND ALL SPECIAL ASSESSMENTS ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS OR FOR OTHER PUBLIC USE ARE PAID IN FULL. THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

DOUGLAS A. MERRIMAN  
OAK HARBOR FINANCE DIRECTOR

**TREASURER'S CERTIFICATES**

THIS IS TO CERTIFY THAT ALL TAXES HERETOFORE LEVIED AND WHICH HAVE BECOME A LIEN UPON THE LANDS HEREIN DESCRIBED, HAVE BEEN FULLY PAID AND DISCHARGED, ACCORDING TO THE RECORDS OF MY OFFICE, UP TO AND INCLUDING THE YEAR OF 2013.

ISLAND COUNTY TREASURER

**AUDITOR'S CERTIFICATE**

FILED FOR RECORD AT THE REQUEST OF \_\_\_\_\_  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013 AND RECORDED IN BOOK \_\_\_\_\_  
OF PLATS, PAGES \_\_\_\_\_ THROUGH \_\_\_\_\_, INCLUSIVE, UNDER AUDITOR'S FILE  
NO. \_\_\_\_\_, RECORDS OF ISLAND COUNTY, WASHINGTON.

DEPUTY COUNTY AUDITOR      ISLAND COUNTY AUDITOR

**TITLE CERTIFICATE**

RECORDED UNDER A.F.# \_\_\_\_\_

**DEVELOPERS / OWNERS**

FP3, LLC  
504 E. FAIRHAVEN AVENUE  
BURLINGTON, WA 98233  
(360) 755-9021

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE PLAT OF FAIRWAY POINT P.R.D., DIVISION 3a IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 4, TOWNSHIP 32 NORTH, RANGE 1 EAST, W.M.; THAT THE COURSES AND DISTANCES ARE SHOWN CORRECTLY THEREON; THAT THE MONUMENTS HAVE BEEN SET AND THE LOT AND BLOCK CORNERS STAKED CORRECTLY ON THE GROUND; AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE STATUTES AND PLATTING REGULATIONS.

YOUNG-SOO KIM, P.L.S. #32169



**SUMMIT ENGINEERS & SURVEYORS, INC.**  
2218 OLD HIGHWAY 99 SOUTH ROAD, MOUNT VERNON, WA. 98273  
PHONE: (360) 416-4899 FAX: (360) 416-4849  
E-MAIL: YSK@SUMMITES.COM



**FAIRWAY POINT P.R.D., PHASE 3, DIVISION 1**

SEC. 4, TWP. 32 N. RNG. 1 E., W.M.  
CITY OF OAK HARBOR, ISLAND COUNTY, WASHINGTON

JOB NO. 02062  
DRAWING NO. Final Plat  
DRAWN BY: SGB  
CHECKED BY: YSK

SHEET 1 OF 3

02062

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

Bill No. C/A 1.i.  
Date: March 5, 2013  
Subject: Password Policy

FROM: Doug Merriman, Finance Director 

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

Scott Dudley, Mayor  
 Larry Cort, City Administrator  
 Grant Weed, Interim City Attorney, as to form

**PURPOSE**

The purpose of this policy is to establish a standard for creation of strong passwords, the protection of those passwords, and the frequency of change.

**AUTHORITY**

The City has authority under RCW 35A.11.020 to regulate its internal affairs and to provide for the improvement of public ways in the rendering of local social, cultural, recreational, educational, governmental, or corporate services, including operating and supplying of utilities and municipal services commonly or conveniently rendered by cities or towns and authority under RCW 35A.40 080 to issue bonds, coupons and warrants and other forms of debt.

**FISCAL IMPACT DESCRIPTION**

Funds Required: \$ Not Applicable  
Appropriation Source: Not Applicable

**SUMMARY STATEMENT**

Passwords are an important aspect of computer security. A poorly chosen password may result in unauthorized access and/or exploitation of City of Oak Harbor's resources. All users, including contractors and vendors with access to City of Oak Harbor systems, are responsible for taking the appropriate steps, as outlined in the policy, to select and secure their passwords.

**STANDING COMMITTEE REPORT**

The Finance Standing Committee discussed this item at their November 14, 2012 meeting.

**RECOMMENDED ACTION**

- 1. Adopt Policy FIN #13-02

**ATTACHMENTS**

- 1. Draft password policy.

3/5/2013 Agenda bill – password policy

# **CITY OF OAK HARBOR**

**SUBJECT: CASH MANAGEMENT**

**INITIAL EFFECTIVE DATE:**

**TITLE: PASSWORD MANAGEMENT POLICY**

## **POLICY STATEMENT**

Passwords are an important aspect of computer security. A poorly chosen password may result in unauthorized access and/or exploitation of City of Oak Harbor's resources. All users, including contractors and vendors with access to City of Oak Harbor systems, are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords.

## **PURPOSE**

The purpose of this policy is to establish a standard for creation of strong passwords, the protection of those passwords, and the frequency of change.

## **SCOPE**

The scope of this policy includes all personnel who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any City of Oak Harbor facility, has access to the City of Oak Harbor network, or stores any non-public City of Oak Harbor information.

### **1.0 Policy**

#### **1.1 General**

- A. All system-level passwords (e.g., root, enable, Windows Administrator, application administration accounts, etc.) must be changed on at least an annual basis.
- B. All production system-level passwords must be part of the OHSD administered global password management database.
- C. All user-level passwords (e.g., email, web, desktop computer, etc.) must be changed at least every twelve months.
- D. User accounts that have system-level privileges granted through group memberships or programs must have a unique password from all other accounts held by that user.

E. Where Simple Network Management Protocol (SNMP) is used, the community strings must be defined as something other than the standard defaults of "public," "private" and "system" and must be different from the passwords used to log in interactively. A keyed hash must be used where available (e.g., SNMPv2).

F All user-level and system-level passwords must conform to the guidelines described below.

## **1.2 Guidelines**

### **A. General Password Construction Guidelines**

All users at City of Oak Harbor should be aware of how to select strong passwords. Strong passwords have the following characteristics:

Contain at least three of the five following character classes:

- 1) Lower case characters
- 2) Upper case characters
- 3) Numbers
- 4) Punctuation
- 5) "Special" characters (e.g. @#\$%^&\*()\_+|~-=\{}[]:;'<>/ etc)
- 6) Contain at least eight alphanumeric characters.

Weak passwords have the following characteristics:

- 1) The password contains less than fifteen characters
- 2) The password is a word found in a dictionary (English or foreign)
- 3) The password is a common usage word such as:
- 4) Names of family, pets, friends, co-workers, fantasy characters, etc.
- 5) Computer terms and names, commands, sites, companies, hardware, software.
- 6) The words "City of Oak Harbor" or any derivation.
- 7) Birthdays and other personal information such as addresses and phone numbers.
- 8) Word or number patterns like aaabbb, qwerty, zyxwvuts, 123321, etc.
- 9) Any of the above spelled backwards.
- 10) Any of the above preceded or followed by a digit (e.g., secret1, 1secret)

Try to create passwords that can be easily remembered. One way to do this is create a password based on a song title, affirmation, or other phrase. For example, the phrase might be: "This May Be One Way To Remember" and the password could be: "Tmb1w2R!" or "Tmb1W>r~" or some other variation. (NOTE: Do not use either of these examples as passwords!)

## **B. Password Protection Standards**

- 1) Always use different passwords for City of Oak Harbor accounts from other non-City access (e.g., personal ISP account, option trading, benefits, etc.).
- 2) Always use different passwords for various City of Oak Harbor access needs whenever possible. For example, select one password for systems that use directory services (i.e. LDAP, Active Directory, etc.) for authentication and another for locally authenticated access.
- 3) Do not share City of Oak Harbor passwords with anyone, including administrative assistants or secretaries. All passwords are to be treated as sensitive, confidential City of Oak Harbor information.
- 4) Passwords should never be written down or stored on-line without encryption.
- 5) Do not reveal a password in email, chat, or other electronic communication.
- 6) Do not speak about a password in front of others.
- 7) Do not hint at the format of a password (e.g., "my family name")
- 8) Do not reveal a password on questionnaires or security forms
- 9) If someone demands a password, refer them to this document and direct them to the OHSD IT Department.
- 10) Always decline the use of the "Remember Password" feature of applications (e.g., Eudora, Outlook, Netscape Messenger). If an account or password compromise is suspected, report the incident to the Information Security Department.

## **C. Application Development Standards**

Application developers must ensure their programs contain the following security precautions.

Applications:

- 1) Shall support authentication of individual users, not groups except in special circumstances.
- 2) Shall not store passwords in clear text or in any easily reversible form.
- 3) Shall provide for some sort of role management, such that one user can take over the functions of another without having to know the other's password.

## **D. Use of Passwords and Passphrases for Remote Access Users**

Access to the City of Oak Harbor Networks via remote access is to be controlled using either a one-time password authentication or a public/private key system with a strong passphrase.

## **E. Passphrases**

Passphrases are generally used for public/private key authentication. A public/private key system defines a mathematical relationship between the public key that is known by all, and the private key, that is known only to the user. Without the passphrase to "unlock" the private key, the user cannot gain access. Passphrases are not the same as passwords. A passphrase is a longer version of a password and is, therefore, more secure. A passphrase is typically composed of multiple words. Because of this, a passphrase is more secure against "dictionary attacks." A good passphrase is relatively long and contains a combination of upper and lowercase letters and numeric and punctuation characters. An example of a good passphrase:

"The\*?#>\*@TrafficOnThe101Was\*&#!#ThisMorning"

All of the rules above that apply to passwords apply to passphrases.

### **2.0 Enforcement**

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

### **3.0 Revision History** **DM/3/2013**

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

Bill No. C/A 1.1.  
Date: March 5, 2013  
Subject: Planning Commission  
Appointment – Sandi Peterson

FROM: Scott Dudley, Mayor

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

 Larry Cort, City Administrator  
 Doug Merriman, Finance Director  
 Grant Weed, Interim City Attorney, as to form

**PURPOSE**

The purpose of this agenda bill is for the Council to confirm Mayor Dudley’s appointment of Sandi Peterson to the Planning Commission.

**AUTHORITY**

Oak Harbor Municipal Code, Chapter 18.04 Planning Commission:  
18.04.010 Commission created - Membership.

Pursuant to the authority conferred by Chapter 35A.63 RCW, the city planning commission created under Ordinance No. 78, adopted January 6, 1953, amended by Ordinance No. 268, adopted May 6, 1969, shall continue in existence, but shall operate hereafter pursuant to authority granted under Chapter 35A.63 RCW. The city planning commission shall consist of seven members, appointed by the mayor, subject to approval of the city council. (Ord. 652 § 1, 1983).

**FISCAL IMPACT DESCRIPTION**

None

**SUMMARY STATEMENT**

If confirmed, Ms. Peterson will complete an unexpired term which will expire in September 2013.

Mayor Dudley recommends that Sandi Peterson be confirmed to serve on the Planning Commission.

**STANDING COMMITTEE REPORT**

None.

**RECOMMENDED ACTION**

Confirm Ms. Peterson’s appointment to the Planning Commission.

**ATTACHMENTS**

Ms. Peterson’s biography.

3.5.2013 Agenda Bill –Planning Comm Appt – Peterson

**Biography Form**

Recommended Board Appointment for: Planning Commission

Name: Sandi Peterson Date: Feb 26 2013

Address: 964 NW Longview Drive

City, State, Zip: Oak Harbor WA 98277

Telephone Number: 360-541-1415 Email Address: Sandipele @ comcast.net

Mailing Address (if different from above): \_\_\_\_\_

Resident of Oak Harbor/Whidbey Island for: 6 years/months

Occupation and Place of Employment (if retired, reference previous occupation):

Self employed Sales - marketing - training - mentoring

Local Group or Civic Affiliations: President Republican Women North Whidbey - Vice Chair Island County Republican Party

Special Interests: Want to see Oak Harbor grow & flourish - to bring business to our area appropriate to our goals

Love snorkeling - wild life - fishing & people

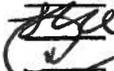
Other General Comments: Hold a real estate brokers license - Have 20 years experience in property management field - Have raised a family that are all productive members of society

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

Bill No. 2  
Date: March 5, 2013  
Subject: 2013 Comprehensive Plan  
Amendment Docket

**FROM:** Steve Powers  
Development Services Director

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

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

**PURPOSE**

This agenda bill presents the 2013 Comprehensive Plan Amendment Docket for the City Council's consideration.

**AUTHORITY**

The City is required by the Growth Management Act (GMA) to adopt a comprehensive plan and to review and revise it pursuant to RCW 36.70A.130. Oak Harbor Municipal Code Chapter 18.15 prescribes the process for considering Comprehensive Plan amendments. The code requires the Planning Commission hold a public hearing, review the preliminary docket, and make a recommendation to the City Council. The Council must then conduct a public hearing and take action on the proposed docket. Approval of the docket occurs through approval of a resolution. The necessary resolution is included as Attachment 1.

**BACKGROUND**

The preliminary docket is essentially a list of comprehensive plan amendment ideas generated by the community, staff, Planning Commission and City Council for any given year. OHMC Chapter 18.15, Comprehensive Plan Amendment Process, sets out the steps in the docket process, the general calendar to be followed in establishing the docket, and defines the types of possible amendments (sponsored, mandated or discretionary).

Sponsored amendments are most typically those submitted by private parties seeking to change the Comprehensive Plan Land Use Map designation of their property. Mandated amendments are those the City must undertake in response to existing and scheduled mandates from the State and as required by the Countywide Planning Policies. Discretionary amendments are those that proactively add, amend, revise, delete or further goals in policies in the Comprehensive Plan.

**DISCUSSION**

The proposed preliminary docket for the 2013 Comprehensive Plan amendments includes a land use change (1000 SE City Beach St.), update to the Shoreline Master Program, 2016 Comprehensive Plan major update and the continued study of the 2012 Scenic View study.

#### Land Use Changes (Sponsored Amendment)

There were no applications from the general public on land use changes. However, the Development Services Director, as permitted by OHMC 18.15.030(d), has added a land use change request for city-owned property located at 1000 SE City Beach Street (old city shop site) to the preliminary docket. The City wishes to explore future uses for this property. As those uses are not likely to be residential (the existing land use designation is “High Density Residential”) a land use map amendment will be necessary.

#### Shoreline Master Program (Mandated Amendment)

The City Council adopted the Shoreline Master Program on November 20, 2012 as mandated by RCW 90.58.080. However, the Shoreline Master Program will become official after the Washington Department of Ecology approves the plan. That approval is expected to occur during 2013. The Shoreline Master Program can then be incorporated into the Comprehensive Plan by reference. The city does not anticipate any major work on this item in 2013 and incorporation into the Comprehensive Plan is a formality.

#### Scenic View Study (Discretionary Amendment)

This item was on the 2012 docket and is continued in to the 2013 amendment process. In 2012, the City and the Planning Commission gathered public input on this topic and identified approximately 27 views of interest. The Planning Commission also discussed methodologies to review the identified views and established criteria to evaluate them. The Planning Commission is currently narrowing down the views for further analysis.

#### 2016 Comprehensive Plan Update (Mandated Amendment)

This item is a requirement for local governments such as Oak Harbor that are fully planning under the Growth Management Act. The original deadline for this requirement in accordance to RCW 36.70A.130 was 2012, but legislation was passed to extend the deadline to 2016. This item will revisit all the elements of the Comprehensive Plan such as Land Use, Housing, Capital Facilities, Utilities, Transportation, Economic Development, Parks and Recreation, Public Facilities etc. This item will span multiple years leading up to adoption in 2016. The scope of work for this item in 2013 will be to review the current policies and identify the scope and process for the update.

OHMC 18.15.070 establishes the criteria to review the Comprehensive Plan Amendment Docket. The table below provides the applicability of the criteria to the proposed preliminary docket.

<b>Criteria provided in OHMC 18.15.070 (2)</b>	<b>2016 Update</b> (Mandated)	<b>Shoreline Master Program</b> (Mandated)	<b>Scenic Views Study</b> (Discretionary)	<b>Land Use Changes (1000 SE City Beach Street)</b> (Discretionary)
(a) The proposed amendments are consistent with Growth Management Act (GMA) and the Countywide Planning Policies (CPP).	✓Yes (RCW 36.70A.130)	✓Yes (RCW 90.58.080)	The study and the process is consistent with GMA and CPP	Considering the land use prior to zoning changes is consistent with GMA and CPP
(b) The proposal does not appear to contradict other elements, goals and policies within the Comprehensive Plan.	None identified at this time.	None identified at this time.	None identified at this time. There is a potential that there may be some opposing policies to discuss.	None identified at this time.
(c) The proposal will implement or further existing goals and policies in the Comprehensive Plan.	✓Yes Updates will keep the Comprehensive Plan in compliance with GMA.	✓Yes Updates will keep the Comprehensive Plan in compliance with GMA.	The study will implement existing Urban Design policies and may challenge some Economic Development policies.	Considering this land use change will be done within the context of existing goals and policies.
(d) The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.	NA	NA	NA	NA
(e) The proposed amendments have been clearly defined to determine a fairly accurate scope of work.	✓Yes since it is mandated. The scope of work will be determined in 2013	✓Yes	✓Yes	✓Yes
(f) The proposed amendments respond to an expressed desire by the community.	NA	NA	✓Yes	This is a necessary action to consider
(g) The public interest would be best served by considering the proposal in the current year.	✓Yes	✓Yes	✓Yes	✓Yes

**PLANNING COMMISSION REVIEW**

The Planning Commission discussed the 2013 preliminary docket at their November and December 2012 and their January 2013 meetings. The materials and minutes from those meetings are included with this agenda bill as Attachment 2. The Commission conducted a public hearing on the preliminary docket on January 22, 2013 as required by OHMC 18.15.040(7). At the conclusion of that hearing, the Commission recommended to the City Council that they approve the 2013 Comprehensive Plan Amendment Docket.

**CITY COUNCIL REVIEW**

The City Council is required by OHMC 18.15.040(8) to conduct a public hearing and finalize the docket before March 31<sup>st</sup>. Approval of Resolution No. 13-08 will establish the 2013 Comprehensive Amendment Docket.

**RECOMMENDATIONS**

1. Conduct the public hearing.
2. Approve Resolution No. 13-08.

**ATTACHMENTS:**

Attachment 1 Resolution No. 13-08: 2013 Comprehensive Plan Amendment Docket  
Attachment 2: Planning Commission staff reports and minutes from November 27, 2012; December 11, 2012; and January 22, 2013.

RESOLUTION NO. 13-08

A RESOLUTION ADOPTING THE DOCKET FOR THE 2013 COMPREHENSIVE PLAN AMENDMENTS

WHEREAS, the City of Oak Harbor first adopted a Comprehensive Plan consistent with the requirements of the Washington State Growth Management Act (Chapter 36.70A RCW) in 1995 by Ordinance 1027, and adopted amendments to the plan in 1997 by Ordinance 1100, in 1998 by Ordinance 1161, in 2000 by Ordinance 1215, in 2001 by Ordinance 1287, in 2003 by Ordinance 1340, in 2004 by Ordinance 1396, in 2005 by Ordinance 1439 and in 2007 by Ordinance 1488 and in 2008 by Ordinance 1542; and and in 2009 by Ordinance 1564; and 2010 by Ordinance 1594; and 2012 by Ordinance 1647; and

WHEREAS, THE CITY OF OAK HARBOR, in the public interest, may adopt amendments or revisions to the Comprehensive Plan no more frequently than once per year in accordance with the State of Washington Growth Management Act RCW 36.70A.130(2); and

WHEREAS, the City of Oak Harbor in accordance with RCW 36.70A.130 has adopted Ordinance 1565 that established a schedule and process to review and amend the Comprehensive Plan; and

WHEREAS, the proposals in the preliminary docket, as presented below, were reviewed against the criteria established in OHMC 18.15.070(2) and determined to be generally consistent; and

WHEREAS, the Planning Commission conducted a public hearing on the preliminary docket on January 22, 2013 and recommended approval; and

WHEREAS, the City Council conducted a public hearing on the docket on March 5, 2013; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Oak Harbor that the docket contained herein shall be established as the 2013 Comprehensive Plan Docket:

2013 Comprehensive Plan Amendment Docket

Proposed Amendment	Type of Amendment	Priority as per OHMC 18.15.050
2016 Comprehensive Plan Update	Mandated RCW 36.70A.130	Priority A
Shoreline Master Program	Mandated RCW 36.70A.130	Priority A
Land Use Changes – 1000 SE City Beach Street	Sponsored	Priority B
Study on Scenic Views	Discretionary	Priority C

PASSED by the City Council and approved by its Mayor this 5<sup>th</sup> day of March, 2013.

THE CITY OF OAK HARBOR

---

Scott Dudley  
Mayor

Attest:

---

City Clerk

Approved as to form:

---

City Attorney

**City of Oak Harbor  
Planning Commission Report**

Date: November 27, 2012  
Subject: Comprehensive Plan  
Amendments – Discussion of  
items for 2013 Docket

**FROM:** Cac Kamak, AICP  
Senior Planner

**PURPOSE**

The purpose of this memo is to provide a framework for discussing the Preliminary<sup>1</sup> Comprehensive Plan Amendment docket for 2013.

**BACKGROUND**

Process

The process to amend the Comprehensive Plan is outlined in Oak Harbor Municipal Code (OHMC) Chapter 18.12, a copy of which is attached to this memo. In accordance with OHMC 18.12.040, the preliminary docket is compiled each year with input from the public and the Planning Commission. This is done prior to a December 1<sup>st</sup> deadline and therefore the November Planning Commission meeting is a good time to discuss the preliminary docket.

The intent of compiling the preliminary docket prior to December 1<sup>st</sup> is to provide public notice of the preliminary docket. This is advertised in the paper, the City's website and the Comprehensive Plan Amendment blog. After public notice, the Planning Commission then reviews the preliminary docket at its regular meeting in December and January and forwards it with a recommendation to the City Council before January 31<sup>st</sup>. The City Council then reviews it in February and March and approves a final docket for the year before March 31<sup>st</sup>.

Docket items

The Oak Harbor Municipal Code provides some direction on amendments that can be considered for a docket. The three types of amendments that can be placed on a docket are Sponsored, Mandated and Discretionary. These amendments are defined in OHMC 18.50.050 (3).

Sponsored Amendments

These are amendments that are proposed through an application process that is open to the general public. Sponsored amendments can either be *private* or *public*. An example of a *private* amendment is a request for changes to land use designations for private property that result in a change to the Future Land Use Map in the Comprehensive Plan. These are the most commonly received applications. The City has not received any applications to date but the deadline for submitting a request is December 3, 2012. *Public* sponsored amendments are requests for changes to policies with the Comprehensive Plan. Since changes to policies have potential for a larger community-wide impact and may affect other

<sup>1</sup> The docket is considered "preliminary" until the City Council approves it. After approval, it is referred to as "final" or "annual".

referenced plans, the procedures to consider these changes are different than the private sponsored amendments. The procedures are outlined in OHMC 18.15.060(2). The City has not received any public sponsored amendments to date.

#### Mandated Amendments

These are amendments mandated by the State through the Growth Management Act or other laws. The annual update to the Capital Improvement Plan falls under this category. This year the Shoreline Master Program (SMP) will be on the docket under this category. It is expected that the City Council will approve the SMP on November 20, 2012. However, Washington Department of Ecology (DOE) has the final approval authority on the document and will likely happen sometime in 2013. Once DOE approves the SMP, it can be added to the City Comprehensive Plan. Also included in this category is the requirements of RCW 36.70A.130 (3, 4 &5) related to review of urban growth areas and updates to the Comprehensive Plan to meet the requirement of the Growth Management Act (GMA). Staff anticipates that these requirements will consume the next three years of the Comprehensive Plan amendment cycle. Staff will initiate a discussion of the update with the Planning Commission in the next few months. Since there are numerous requirements with the update, the first step will be to determine the scope of the required updates followed by a schedule and a public participation plan. Mandatory Amendments are automatically given a Priority A in accordance to OHMC 18.15.050 (4).

#### Discretionary Amendments

As described in OHMC 18.15.050(3)(c), these amendments are added to the annual docket to proactively add, amend, revise, delete or further goals and policies in the Comprehensive Plan. Discretionary items can be added to the docket by boards, commissions, city council and by the director of development services. This is the category under which the Planning Commission can add items for consideration. The current study on Scenic views was added to the docket under this provision. Since the Scenic View study is still underway and the mandatory updates are extensive, staff recommends not adding any discretionary item at this time.

### **RECOMMENDATIONS**

No action is required at this time. A preliminary docket will be advertised in accordance to OHMC 18.15.040(6). The Planning Commission will be presented with the preliminary docket for review at its December and January meetings. The Planning Commission will be required to make a recommendation on the Preliminary Docket at the January 22, 2013 meeting.

#### **Attachments:**

- Attachment 1 - OHMC Chapter 18.15 Comprehensive Plan Amendment Process
- Attachment 2 - Preliminary Docket for 2013 Comprehensive Plan Update

## Chapter 18.15 COMPREHENSIVE PLAN AMENDMENT PROCESS

### Sections:

- 18.15.010 Comprehensive plan amendment process and public participation program.
- 18.15.020 Applicability.
- 18.15.030 Responsibility.
- 18.15.040 Amendment process and schedule.
- 18.15.050 Docket.
- 18.15.060 Sponsored amendments.
- 18.15.070 Preliminary docket review criteria.
- 18.15.080 Annual amendment decision criteria.
- 18.15.090 Public participation – Notice provisions.
- 18.15.100 Public participation program.
- 18.15.110 Technical advisory group.
- 18.15.120 Appeals.

### **18.15.010 Comprehensive plan amendment process and public participation program.**

This chapter establishes the authority, process, format, and criteria by which the comprehensive plan may be amended in accordance with Chapter 36.70A RCW. This chapter also establishes the city's public participation program as required by RCW 36.70A.140. (Ord. 1565 § 2, 2009).

### **18.15.020 Applicability.**

(1) This chapter shall apply to updates, amendments or revisions to the comprehensive plan that are considered by the city council no more frequently than once a year. At the discretion of the mayor, amendments may be considered more frequently than once a year for the following circumstances:

- (a) The initial adoption of a subarea plan that does not modify the general vision, goals and policies of the comprehensive plan;
- (b) The adoption or amendment of a shoreline master program under the procedures set forth in Chapter 90.58 RCW;
- (c) The amendment of the capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of the city budget.

(2) Although sometimes referred to as the annual docket, nothing in this chapter shall be deemed as requiring that amendments be undertaken every year. (Ord. 1565 § 3, 2009).

### **18.15.030 Responsibility.**

- (1) The director of development services shall have the responsibility to:
  - (a) Administer this chapter.
  - (b) Establish application and administrative procedures that may also include fee collection, refunds, etc.

(c) Review the applications and make a determination of completeness for inclusion in the preliminary docket for planning commission review.

(d) Place amendments on the preliminary docket for planning commission and city council consideration.

(e) Make a recommendation to the planning commission and the city council on the annual docket and work program.

(2) The planning commission shall have the responsibility to:

(a) Review proposed amendments to the comprehensive plan that are included in the annual preliminary docket.

(b) Hold a public hearing, deliberate, and make recommendations to the city council on the said annual preliminary docket.

(c) Place items, as determined by majority vote, on the preliminary docket for city council consideration.

(d) Review and study proposed amendments to the comprehensive plan that are included in the city council-approved annual docket for each year and hold a public hearing, deliberate, and make recommendations to the city council on said proposals.

(3) The city council shall have the responsibility to:

(a) Review each proposal on the preliminary docket to amend the comprehensive plan and make a final decision that results in establishing the planning commission's annual docket work program for each year.

(b) Place items, as determined by majority vote, on the annual docket.

(c) Hold a public hearing and make a final decision on the amendments pursuant to this section after the planning commission has provided a recommendation to the city council. (Ord. 1565 § 4, 2009).

#### **18.15.040 Amendment process and schedule.**

The comprehensive plan shall be amended pursuant to this chapter, no more frequently than once a year as part of the amendment cycle established in this chapter, except as provided in OHMC 18.15.020.

(1) The public shall be made aware of the deadline to submit proposed amendments to the comprehensive plan by means of two publications in the local newspaper of general circulation in the city, with the first notice published at least 30 days prior to the deadline.

(2) The deadline for submitting an application for amendments pursuant to this chapter is 5:00 p.m., December 1st of each year, or the next business day if December 1st falls on a Saturday or Sunday.

(3) Only applications that fulfill the requirements of OHMC 18.15.060 by the deadline in subsection (2) of this section shall be placed on the preliminary docket for consideration in the next annual amendment process.

(4) The planning commission may recommend amendments be added to the preliminary docket, but such recommendation shall be made before December 1st of each year so that they may be published along with other proposed amendments. Only such amendments that have received a majority vote by the planning commission shall be included in the preliminary docket for consideration.

(5) The director of development services shall review all complete applications submitted by the deadline set forth in subsection (2) of this section based upon the

threshold criteria set forth in OHMC 18.15.070(1) and place them on the preliminary docket along with the discretionary and mandated items in accordance with OHMC 18.15.050.

(6) The director of development services shall advertise the preliminary docket in the local newspaper of general circulation prior to its consideration for recommendation by the planning commission.

(7) The planning commission shall hold a public hearing on the preliminary docket and review said docket based on the criteria set forth in OHMC 18.15.070(2) and make a recommendation to the city council before January 31st of each year.

(8) The city council shall hold a public hearing and review the preliminary docket and, after such review and deliberation, establish an annual docket before March 31st of each year.

(9) The annual docket shall be advertised in the local newspaper of general circulation.

(10) Proposals on the annual docket shall be open for public input throughout the amendment process. However, formal and informal meetings such as but not limited to neighborhood meetings, town hall meetings, open houses, etc., will generally be scheduled between August 1st of each year and September 30th of each year to provide consistency and predictability. Public input on the amendments shall be in accordance with OHMC 18.15.090.

(11) A draft of the proposed amendments on the annual docket shall be transmitted to the Washington State Department of Commerce in accordance with the requirements of RCW 36.70A.106 not later than August 31st of each year.

(12) The planning commission shall hold a public hearing on the proposed amendments in the annual docket based on the criteria set forth in OHMC 18.15.080 and make a recommendation on each proposal to the city council before October 31st of each year.

(13) The city council shall hold a public hearing on the proposed amendments in the annual docket and take action on such amendments before December 31st of each year. (Ord. 1565 § 5, 2009).

#### **18.15.050 Docket.**

(1) Responsibility. The director of development services shall have responsibility to manage the preliminary docket as set forth in this section and assure that the process and schedule set forth in OHMC 18.40.040 are followed.

(2) Format.

(a) The docket shall not span a term of more than one year.

(b) The items on the preliminary docket shall be categorized by the type of amendments as set forth in subsection (3) of this section.

(c) Each agenda item on the preliminary docket shall be assigned a predetermined priority based on the criteria established in subsection (4) of this section.

(3) Types of Amendments.

(a) Sponsored Amendments. These are amendments that are proposed through the application process submitted prior to December 1st of each year for consideration in the annual docket. Sponsored amendments are limited to those amendments as set forth in OHMC 18.15.060.

(b) **Mandated Amendments.** These amendments are proposed for the annual docket in response to existing and scheduled mandates from the state and the countywide planning policies. The director of development services shall be responsible for placing proposals to meet such mandates on the preliminary docket for the year in which the mandate requires action.

(c) **Discretionary Amendments.** These amendments are added to the annual docket to proactively add, amend, revise, delete or further goals and policies in the comprehensive plan. Discretionary items can be added to the docket by boards, commissions or the council as established by the OHMC and by the director of development services. Discretionary items from boards and commissions shall be added to the docket only after such items have received a majority vote by said board, commission or council.

(4) **Prioritization.** Each item on the preliminary docket shall be assigned a pre-determined priority by the director based on the following criteria:

(a) **Priority A – Mandated.** Amendments and updates that are in response to an existing or scheduled mandate from the state or countywide planning policies shall automatically be considered during the appropriate amendment cycle.

(b) **Priority B – Sponsored.**

(i) Private amendments that are sponsored by an individual property owner or a group, that impact specific properties.

(ii) Public amendments that meet the requirements set forth in OHMC 18.15.060(2).

(c) **Priority C – Discretionary.** Discretionary amendments that are generated by boards, commissions and the council to further the goals and policies of the comprehensive plan.

(5) **Approval.** The city council shall establish by resolution the annual docket. The annual docket shall specifically apply only to the amendments listed for the current year. (Ord. 1565 § 6, 2009).

### **18.15.060 Sponsored amendments.**

Sponsored amendments are initiated by the public through the application process. Sponsored amendments are classified into two categories as described below:

(1) **Private Amendments.** These are applications initiated by an individual property owner or a group of property owners who are requesting changes that will primarily impact properties that they own or control.

(a) **Application Requirements.**

(i) An application form provided by the department of development services and completed by the applicant that includes, at minimum, the applicant's name, address, contact information, property address and location, parcel number(s), existing land use designation, proposed land use designation and zoning designation.

(ii) A map of the property clearly showing the subject properties and its surrounding context.

(iii) A narrative clearly stating the proposal and what the amendment is attempting to accomplish.

(iv) A completed environmental checklist, if required by the director.

(v) An application processing fee in accordance with RCW 82.02.020.

(2) Public Amendments. These are applications initiated by the public requesting changes, additions, or updates to elements, maps, data, goals and policies that have an areawide or citywide significance. Since these requests can have an impact to the community at large, the application requirements vary from the private amendments.

(a) Application Requirements.

(i) A narrative clearly stating the proposal and what the amendment is attempting to accomplish.

(ii) Identification, address and contact information of the lead person or group initiating the proposed amendment.

(iii) Identify the goals and policies within the comprehensive plan that are proposed to be amended.

(iv) Proposed new or replacement language.

(v) Identify goals and policies that support the proposed amendment.

(vi) Supporting studies or findings that justify the proposed amendments.

(vii) A petition supporting the proposed amendment that includes the signatures and names and addresses of one of the following:

(A) No less than 250 residents or property owners of the city and its urban growth area; or

(B) Sixty percent of the property owners impacted by the proposed amendments.

(viii) An application processing fee is waived for public amendments. (Ord. 1565 § 7, 2009).

#### **18.15.070 Preliminary docket review criteria.**

(1) Applications. The director of development services shall review all complete applications submitted by the deadline set forth in OHMC 18.15.040 and make a decision whether each application should be placed on the preliminary docket based upon the following criteria:

(a) The application is complete and all relevant information in accordance with the requirements of OHMC 18.15.060(1)(a) or (2)(a) has been provided.

(b) The application was submitted by the deadline established in OHMC 18.15.040.

(c) The correct application processing fee has been paid in full by the deadline established in OHMC 18.15.040.

(2) The Preliminary Docket. The planning commission will review the proposed amendments on the preliminary docket and make a recommendation to the city council. Recommendations on whether agenda items shall be included in the annual docket should be based on one or more of the following criteria:

(a) The proposed amendments are consistent with the Growth Management Act and the countywide planning policies.

(b) The proposal does not appear to contradict other elements, goals and policies within the comprehensive plan.

(c) The proposal will implement or further existing goals and policies in the comprehensive plan.

(d) The proposal would correct an inconsistency within or make a clarification to a provision of the comprehensive plan.

(e) The proposed amendments have been clearly defined to determine a fairly accurate scope of work.

(f) The proposed amendments respond to an expressed desire by the community.

(g) The public interest would be best served by considering the proposal in the current year. (Ord. 1565 § 8, 2009).

**18.15.080 Annual amendment decision criteria.**

The planning commission shall review and the city council shall decide on all proposed amendments based on the following decision criteria, where applicable:

(1) The amendment will not adversely affect the public health, safety and welfare in any significant way.

(2) The proposed amendment is consistent with the overall goals and intent of the comprehensive plan.

(3) The amendment is in compliance with the Growth Management Act and the countywide planning policies.

(4) The amendment addresses the needs or changing circumstances of the community as a whole or resolves inconsistencies in the city's comprehensive plan.

(5) Environmental impacts from the amendments have been addressed through SEPA review and/or measures have been included that reduce possible impacts.

(6) The amendment is consistent with the land uses and growth projections which were the basis of the comprehensive plan or to subsequent updates to growth allocations.

(7) The amendment is generally compatible with neighboring land uses and surrounding neighborhoods.

(8) The proposed amendment accommodates new policy direction from the city council.

(9) Other specific criteria that may have been identified at the beginning of the process. (Ord. 1565 § 9, 2009).

**18.15.090 Public participation – Notice provisions.**

(1) The public participation requirements of this chapter shall include notice procedures that are reasonably calculated to provide notice to property owners and other affected and interested individuals, tribes, government agencies, businesses, school districts, and organizations of proposed amendments to comprehensive plans and development regulation. Examples of reasonable notice provisions include:

(a) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located or that will be affected by the proposal;

(b) Posting the property for site-specific proposals;

(c) Notifying public or private groups with known interest in a certain proposal or in the type of proposal being considered;

(d) Placing notices in appropriate regional, neighborhood, ethnic, or trade journals; and

(e) Publishing notice in agency newsletters or sending notice to agency mailing lists, including general lists or lists for specific proposals or subject areas.

(2) Changes to Proposed Amendments.

(a) Except as otherwise provided in subsection (2)(b) of this section, if the legislative body for a county or city chooses to consider a change to an amendment to a comprehensive plan or development regulation, and the change is proposed after the opportunity for review and comment has passed under the city's procedures, an opportunity for review and comment on the proposed change shall be provided before the council votes on the proposed change.

(b) An additional opportunity for public review and comment is not required under subsection (2)(a) of this section if:

(i) An environmental impact statement has been prepared under Chapter 43.21C RCW for the pending resolution or ordinance and the proposed change is within the range of alternatives considered in the environmental impact statement;

(ii) The proposed change is within the scope of the alternatives available for public comment;

(iii) The proposed change only corrects typographical errors, corrects cross-references, makes address or name changes, or clarifies language of a proposed ordinance or resolution without changing its effect;

(iv) The proposed change is to a resolution or ordinance making a capital budget decision as provided in RCW 36.70A.120; or

(v) The proposed change is to a resolution or ordinance enacting a moratorium or interim control adopted under RCW 36.70A.390. (Ord. 1565 § 10, 2009).

#### **18.15.100 Public participation program.**

Early, continuing and widespread public participation shall be provided during the comprehensive plan amendment process. The public notices for comprehensive plan amendments shall be in accordance with OHMC 18.20.380(5) pertaining to the Type V review process and with OHMC 18.20.386, where applicable. In accordance with RCW 36.70A.140, the following public participation program shall be incorporated into the amendment process:

##### **(1) Broad Dissemination of Proposals and Alternatives.**

(a) The call for proposals to amend the comprehensive plan shall be advertised in the local newspaper 30 days before the deadline for filing applications in accordance with the schedule in OHMC 18.15.040.

(b) The preliminary docket shall be advertised in the local newspaper prior to its review by the planning commission.

(c) The annual docket shall be advertised in the local newspaper after approval by city council.

(2) Opportunity for Written Comment. Written comments regarding items on the proposed docket or the annual docket can be submitted at any time during the review process up to the final city council hearing.

(3) Public Meetings After Effective Notice. All public hearings regarding comprehensive plan amendments shall follow the public notice provisions provided in OHMC 18.20.380 and 18.20.386, where applicable.

(4) Provisions for Open Discussions, Communication Programs and Information Services. The director of development services shall determine the appropriate public input forum to discuss items on the annual docket. Forums may include but not be limited to the following:

(a) Public Meeting and Workshops. Informal at-large public gatherings to solicit ideas, present proposals and encourage constructive feedback.

(b) Neighborhood Discussions. When a proposed amendment has a clear geographical interest.

(c) Open Houses. Advertised event to display information related to the amendments to the public including informal discussions with staff.

(d) Display Kiosks. Information display at general public events and venues.

(e) Websites and Blogs. An internet-based information distribution, discussion and input mechanism.

(5) Consideration of and response to comments may vary in form and may include letters, staff reports, responses on the web and web-based media. Written comments received after the final staff report on the subject amendment is prepared may not be responded to in writing. (Ord. 1565 § 11, 2009).

#### **18.15.110 Technical advisory group.**

(1) The mayor has the authority to appoint members to a technical advisory group if the city council approves the need for such a group and approves it as part of the annual docket approval process. The need for a technical advisory group shall be based on whether a specific amendment or amendments require:

(a) Technical expertise; or

(b) Scientific expertise; or

(c) Experience in a specific or unique field; or

(d) Input from two or more impacted groups; or

(e) Input from two or more public/government entities; or

(f) Any other reason not mentioned above as determined by the mayor.

(2) The term for members on the technical advisory group is limited to the duration of the specific amendment for which the group was formed. (Ord. 1565 § 12, 2009).

#### **18.15.120 Appeals.**

Appeal of a city council decision on a comprehensive plan amendment is governed by state law. (Ord. 1565 § 13, 2009).

**Preliminary Docket for 2013 Comprehensive Plan Amendment**

<b>Category of Amendment</b>	<b>Amendments</b>	<b>Type of Amendment</b>	<b>Priority as per OHMC 18.15.050</b>
Sponsored Amendments	None		Priority B
Mandated Amendments	Capital Improvements Plan update Annual update to the projects list, revenues and expenditure.	Mandated RCW 36.70A.130	Priority A
	Update to the Shoreline Master Program	Mandated RCW 90.58.080	Priority A
	2016 Update to the Comprehensive Plan	Mandated RCW 36.70A.130	Priority A
Discretionary Amendments	Scenic View study – continued from 2012	Discretionary	Priority C

**PLANNING COMMISSION  
REGULAR MEETING  
CITY HALL – COUNCIL CHAMBERS  
November 27, 2012**

**ROLL CALL: Present:** Keith Fakkema, Greg Wasinger, Jeff Wallin, Kristi Jensen Jill Johnson-Pfeiffer and David Fikse.

**Absent:** Gerry Oliver.

**Staff Present:** Development Services Director, Steve Powers; Senior Planner, Cac Kamak and Building Official, David Anderson.

Chairman Fakkema called the meeting to order at 7:30 p.m.

**MINUTES: MS. JENSEN MOVED, MS. JOHNSON-PFEIFFER SECONDED, MOTION CARRIED TO APPROVE THE OCTOBER 23, 2012 MINUTES AS PRESENTED.**

**PUBLIC COMMENT:**

None present for comment.

**2012 COMPREHENSIVE PLAN AMENDMENTS** – Public Hearing

For the benefit of the newly appointed Planning Commissioner (Mr. Fikse), Mr. Kamak provided a brief summary of the Comprehensive Plan amendment process and the 2012 amendments (Capital Improvements Plan update and creation of a new “Maritime” land use category). This agenda item was discussed and the public hearing was opened at the October 23<sup>rd</sup> Planning Commission meeting. The Planning Commission continued the public hearing to the November 27, 2012 meeting. Mr. Kamak recommended that the Planning Commission close the public hearing and make a recommendation to the City Council.

Mr. Fakkema asked for any additional public comment, seeing none the public hearing was closed.

**ACTION: MR. WALLIN MOVED, MS. JENSEN SECONDED A MOTION TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE 2012 COMPREHENSIVE PLAN AMENDMENTS. MOTION CARRIED.**

**2012 COMPREHENSIVE PLAN AMENDMENTS – SCENIC VIEWS** – Public Meeting

Mr. Kamak reported that the Planning Commission included this item on the 2012 Comprehensive Plan Docket with an interest to protect view within the community. This item will continue into the 2013 Comprehensive Plan amendment cycle.

Mr. Kamak explained that the intent of this docket item was to identify existing desirable scenic views within the community and determine appropriate methodologies to eventually protect them.

On October 23, 2012 staff presented the Planning Commission public input on scenic views that staff collected from citizens via a flyer in the utility bills as well as photos taken by staff.

Mr. Kamak displayed the following table which presented criteria for evaluating the feasibility of protecting scenic views. After Planning Commission discussion about downtown height limits, gateway views entering and exiting the City, tools for protecting views (zoning regulations and

landscaping regulations), individual property rights and the possibility of hampering future growth, the Planning Commission rated the criteria and added additional criteria as follows:

<b>Proposed Criteria</b>	<b>Should the criteria be used Yes/No</b>	<b>Rating Score</b> H = High M = Medium L = Low D = Deduct
View from public property		H
View from streets		
SR 20		M
Arterial		M
Collector		L
Local		L
View from a pedestrian route		H
View of a specific landmark		H
The need to buy property		D
The need for special zoning regulations		D
<b>Additional Criteria</b>		
Entry way views		H
Waterfront connectivity		H

### **2013 COMPREHENSIVE PLAN AMENDMENT DOCKET – Public Meeting**

Mr. Kamak explained that the Comprehensive Plan amendment process began with a call for applications to the public for land use changes referred to as sponsored amendments (no applications received so far). This year's discretionary amendments include the Scenic View's study which is a carryover from the 2012 Comprehensive Plan amendment docket. Since the scope of work for the 2016 major update to the Comprehensive Plan will involve about three years of work preparing for the update, staff is requesting that no other discretionary items be added to the docket. No action is required at this point. Staff will formulate the docket and present it to the Planning Commission at the December 11<sup>th</sup> meeting and return to the Planning Commission in January for action.

Mr. Powers noted that if the Planning Commission thinks that there is something that is absolutely critical for the community to tackle it is the Planning Commission's prerogative to put that item on the docket and send it forward to the Council for consideration and action. The deadline for adding to the docket is December 3<sup>rd</sup>.

**ELECTRONIC MESSAGE CENTER SIGNS CODE UPDATE** – Public Meeting

Mr. Powers explained that Municipal Code assigns the responsibility for the sign code to the building official. The building official has the responsibility to issue sign permits and decisions as to whether the requested sign is allowed by the ordinance. The building official was in attendance to listen to the discussion and answer any questions. The goal of tonight's meeting is to initiate conversation with the Planning Commission.

Mr. Powers reported that the Mayor's Economic Development Committee has asked the City to consider amending this section of the sign code for the purposes of providing language that reflects current technology.

Mr. Powers reported that the current code, electronic message center signs are considered to be primary signs. The zoning district, size of the building etc. dictates the number of primary signs that a business is allowed to have. Electronic message center signs are not in addition to the base number of primary signs allowed. Only one electronic message center sign is allowed and the sign should not exceed 50 percent of the sign area for that sign. Electronic message center signs are allowed in the C3, C4, and C5 business districts. There are also standards embedded within the definitions which may be an area that can be improved upon.

Planning Commission Discussion

Planning Commission had questions about why the colors were limited to white, red or amber in OHMC 19.36.030(5)(g)(vii). Mr. Powers responded that community members who participated in the 2009 electronic message board discussions when these standards were added to the code were concerned about video boards. This is a subsection could be clarified.

Mr. Fikse commented that currently the City allows for scrolled text on message center signs. The problem is that the sign requires a video board for the scrolling text. The code doesn't account for that so there are irregularities in the sign code because the technologies are different than they were three years ago. Correct definitions such as designating the differences between live video versus animation can be a big benefit to the businesses of Oak Harbor. The concern at the Economic Development Committee was whether everyone at the City level could interpret the code the same way. The answer was no. The Economic Development Committee's key concerns were, they didn't want the signs to look bad which is difficult to legislate and safety. The letter from the Economic Development Committee proposed the following:

1. All electronic signs (LED Signs) shall refrain from all strobe or rapid flashing effects that could be considered a distraction to traffic flow.
2. No electronic signs (LED Signs) shall be turned "brighter than the factory settings". Reducing the brightness is allowed.
3. No Live Video allowed, with the exception of RSS feeds for time, temperature and the emergency broadcast system.

Ms. Johnson-Pfeiffer recalled that there was a lot of community pushback in 2009 and it wasn't technology driven but more about being as conservative as we can for the first step. There was a desire to not have video signs like Fife, Washington, light pollution and too much ambient light in neighborhoods. Ms. Johnson-Pfeiffer also commented that she liked the video signs that are inset and flush with the façade and asked if the code would allow freestanding video signs. She wondered if it was possible to say that this technology can be used in one fashion but not in another. Mr. Powers said free standing video signs are allowed and regulations could be

drafted to say that when it is a pole mounted that only a certain amount of the sign can be electronic message, if it is building mounted it could be by itself.

Ms. Jensen asked what the stumbling point was when interpreting the code. Mr. Anderson said that it was the technology, the term "video" and the color definitions. Mr. Powers added that staff's task has been to look at how the technology is utilized to display the message and not the message itself.

Mr. Fikse added that it is easy to address the concern about the brightness of the sign because there is a very good photo cell that self adjusts brightness and that can be very easily written into the code to require an active photo cell. Mr. Fikse also pointed out that the current code says that no RGB technology is allowed but white is allowed and electronic signs require RGB technology to get white. He also pointed out that if the electronic sign has a white background it will look bad and a dark background will look much better. He wasn't sure how the City could discourage the white backgrounds. The look of the signs will determine the community's reaction.

Mr. Powers concluded the meeting by noting that this item would not be on the December business meeting agenda but would be on the January agenda for further discussion.

Ms. Jensen asked staff to provide a list of the existing electronic message boards and notate the conflicting code language/technology that apply to each sign.

**ADJOURN: 9:00 p.m.**

**City of Oak Harbor  
Planning Commission Report**

Date: December 11, 2012  
Subject: Comprehensive Plan  
Amendments – Discussion of  
items for 2013 Docket

**FROM:** Cac Kamak, AICP  
Senior Planner

The process to amend the Comprehensive Plan is outlined in Oak Harbor Municipal Code (OHMC) Chapter 18.12. In accordance with OHMC 18.12.040, the preliminary docket is compiled each year with input from the public and the Planning Commission.

The deadline to submit an application for a sponsored amendment<sup>1</sup> was December 3, 2012. This year the city did not receive any applications.

The intent of compiling the preliminary docket prior to December 3<sup>rd</sup> is to provide public notice of the preliminary docket. The preliminary docket is advertised in the paper, the City's website and the Comprehensive Plan Amendment blog. The Planning Commission holds a public hearing on the preliminary docket prior to making a recommendation to the City Council. The public hearing for the 2013 Preliminary Docket is scheduled for the January 22, 2013 Planning Commission meeting.

The preliminary docket for 2013 is compiled below and will be advertised on January 5, 2013 for the January Planning Commission meeting.

2012 Comprehensive Plan Amendment Preliminary Docket

Proposed Amendment	Type of Amendment	Priority as per OHMC 18.15.050
Capital Improvements Plan – 2 year update	Mandated RCW 36.70A.130	Priority A
Comprehensive Plan Update 2016	Mandated RCW 36.70A.130	Priority A
Shoreline Master Program (SMP) Update	Mandated RCW 90.58.080	Priority A
Review if the current Comprehensive Plan goals and policies adequately identify and protect view corridors within the City	Discretionary	Priority C

The major portion of the work proposed for 2013 will be focused around the 2016 Comprehensive Plan update. Since the Comprehensive Plan covers a wide variety of subjects, the first step in the process will be to determine the scope of the update. The WA State Department of Commerce has provided some guidelines on how to address this so we will be using their checklist to get us started.

We are also contemplating the need to update the Capital Improvements Plan (CIP) annually. Recent research with the Municipal Research and Services Center of

<sup>1</sup> These are normally application for land use designation changes

Washington has determined that it is not required annually if elements of the plan are updated with the city's annual budget process. Staff feels that integrating some elements of the CIP with the budget may be beneficial and practical. We will explore those possibilities in 2013 as well.

This memo is to provide the Planning Commission with updates to the preliminary docket. No action is requested at this time. However the Planning Commission will be required to make a recommendation on the preliminary docket at the January 22<sup>nd</sup>, 2013 meeting. The City Council then reviews it in February and March and approves a final docket for the year before March 31<sup>st</sup>.

**PLANNING COMMISSION  
REGULAR MEETING  
CITY HALL – COUNCIL CHAMBERS  
December 11, 2012**

**ROLL CALL: Present:** Keith Fakkema, Greg Wasinger, Jeff Wallin, Kristi Jensen Jill Johnson-Pfeiffer and David Fikse.

**Absent:** Gerry Oliver.

**Staff Present:** Development Services Director, Steve Powers and Senior Planner, Cac Kamak.

Chairman Fakkema called the meeting to order at 7:30 p.m.

**MINUTES: MS. JENSEN MOVED, MR. WALLIN SECONDED, MOTION CARRIED TO APPROVE THE NOVEMBER 27, 2012 MINUTES AS PRESENTED.**

**PUBLIC COMMENT:**

**Wendy Campbell deWinter** (735 Bay Front Lane) read written comments (PC Attachment 1) regarding global warming.

**2012 COMPREHENSIVE PLAN AMENDMENTS – SCENIC VIEWS** – Public Meeting

Mr. Kamak recapped the Planning Commission's November meeting in which the Planning Commission reviewed criteria for evaluating scenic views within Oak Harbor. Since not all scenic views have the same public interest and value, the Planning Commission also weighted the criteria to help narrow down the selection and focus on the views that preserves the community's interests. The criteria and the ratings that will be used to initially evaluate the scenic views are provided in the below. Mr. Kamak noted that he assigned points to each score.

Mr. Kamak also provided a map showing the scenic corridors. (PC Attachment 2). Mrs. Johnson-Pfeiffer provided additional scenic view information (PC Attachment 3).

<b>Proposed Criteria</b>	<b>Rating Score</b> H = High      L = Low M = Medium    D = Deduct	<b>Score</b>
View from public property	H	100
View from streets		
SR 20	M	50
Arterial	M	50
Collector	L	25
Local	L	25
View from a pedestrian/pedestrian trail	H	100
View of a specific landmark	H	100
The need to buy property	D1	-100
The need for special zoning regulations	D	-50
<b>Additional Criteria</b>		
Entryway views	H	100
Waterfront connectivity	H	100
		Max - 550

Mr. Kamak displayed each view and scoring sheet. The Planning Commission was asked to score each view.

Planning Commission discussed what “waterfront connectivity” means. Ms. Johnson-Pfeiffer said she had visual connectivity in mind when she suggested it. There was discussion about reserving scenic views downtown while encouraging high intensity uses as described for the downtown in the Comprehensive Plan. There was some discussion about a separate plan for the downtown that would have to include property owners, adopting a plan and putting regulations in place. Planning Commission members expressed a desire to keep a couple of waterfront views while encouraging redevelopment.

The results of the Planning Commission’s first round of scoring are shown below.

	Views	Rating Score	Qualified (Y/N)
1	Northbound SR 20 – Scenic Heights to Erie	350	
2	Northbound SR 20 – Swantown to Scenic Heights	300	
3	Scenic Heights Trailhead	325	
4	SW Freund Street	275	
5	Waterloo Rd & Scenic Heights	175	
6	Swantown – Kimball to SR 20	200	
7	Swantown & Fireside Lane	125	
8	Barrington Drive and Fleet Street int	175	
9	Fleet Street	225	
10	Barrington Drive and Fairhaven int	175	
11	Waterfront Trail – Windjammer Park	400	
12	Waterfront Trail – Flintstone Park	400	
13	Bayshore Drive – Dock to Midway	450	
14	Pioneer Way – Midway to Regatta	450	
15	Pioneer Way – Ireland to Midway	300	
16	Pioneer Way – SR 20 to City Beach	200	
17	Jensen Street	175	
18	Midway Blvd – SE 8 <sup>th</sup> to Midway	250	
19	Regatta Drive – SE 8 <sup>th</sup> to Pioneer Way	450	
20	Skagit Valley College parking lot	150	
21	Crosby Ave by Cathlamet Drive	175	
22	Crosby Ave by Prow Street	75	
23	Airline Way	175	
24	SW 6 <sup>th</sup> and Dyer	175	
25	Southbound SR 20 and NE 16 <sup>th</sup> Ave	350	
26	Dock Street – Barrington to Bayshore	375	
27	Ft Nugent Avenue – Quince St to Neinhuis St	350	
28	City Beach St		

Mr. Kamak said he would send tonight’s Power Point presentation to the Planning Commission and asked them to fill out the “Qualified (Y/N) column based on their own evaluation. He will then compile that information for discussion at the January meeting.

Mr. Fakkema asked for public comment.

**Wendy Campbell deWinter** commented that composition of the aesthetic views are unique in Oak Harbor and is very important to preserve.

**2013 COMPREHENSIVE PLAN AMENDMENT DOCKET – Public Meeting**

Mr. Kamak reported that the January Planning Commission meeting regarding the preliminary docket for 2013 will be advertised on January 5, 2013. The major portion of the work proposed for 2013 will be focused around the 2016 Comprehensive Plan update. No action is requested at this time. The Planning Commission will be required to make a recommendation on the preliminary docket at the January 22<sup>nd</sup>, 2013 meeting.

Mr. Fakkema asked for public comment seeing none the meeting was concluded.

Ms. Johnson-Pfeiffer noted that this was her last meeting and expressed her appreciation for the Planning Commission and staff.

**ADJOURN: 9:20 p.m.**

**City of Oak Harbor  
Planning Commission Report**

Date: January 22, 2013  
Subject: 2013 Comprehensive Plan  
Amendments – Preliminary  
Docket

**FROM:** Cac Kamak, AICP  
Senior Planner

**PURPOSE**

This report presents the preliminary docket for the 2013 Comprehensive Plan amendments. The preliminary docket is intended to review ideas generated by the community, Planning Commission, City Council and the Director of Development Services on the amendments to pursue in 2013 for the Comprehensive Plan. The Planning Commission is required by OHMC 18.15.040(7) to make a recommendation to the City Council by January 31 of each year and the City Council is required by OHMC 18.15.040(8) to finalize the docket before the end of March.

**AUTHORITY**

The City is required by the Growth Management Act (GMA) to adopt a comprehensive plan and to review and revise it pursuant to RCW 36.70A.130. Oak Harbor Municipal Code Chapter 18.15 prescribes the process for considering Comprehensive Plan amendments. The code requires the Planning Commission to hold a public hearing, review the preliminary docket and make a recommendation to the City Council.

**BACKGROUND**

The process to amend the Comprehensive Plan every year begins in October with a notice to solicit applications for amendments. The City usually receives applications from property owners for land use changes, however, no applications were received this year. The Planning Commission deliberates on the amendments in October and November each year. Since the study on scenic views is still underway along with preparations for the 2016 Comprehensive Plan Update, the Planning Commission did not add any items to the 2013 preliminary docket. The Development Services Director, as permitted by OHMC 18.15.030(d), has added a land use change request for city-owned property located at 1000 SE City Beach Street (old city shop site) to the preliminary docket.

The preliminary docket was advertised in accordance with OHMC 18.15.040(6) prior to the Planning Commission's public hearing on January 22, 2013.

**DISCUSSION**

The proposed preliminary docket for the 2013 Comprehensive Plan amendments includes a land use change (1000 SE City Beach St.), update to the Shoreline Master Program, 2016 Comprehensive Plan major update and the continued study of the 2012 Scenic View study.

**Land Use Changes (Sponsored Amendment)**

There were no applications from the general public on land use changes. However, the Development Services Director, as permitted by OHMC 18.15.030(d), has added a land use change request for city-owned property located at 1000 SE City Beach Street (old

city shop site) to the preliminary docket. The City wishes to explore future uses for this property. As those uses are not likely to be residential (the existing land use designation is “High Density Residential”) a land use map amendment will be necessary.

Shoreline Master Program (Mandated Amendment)

The City Council adopted the Shoreline Master Program on November 20, 2012 as mandated by RCW 90.58.080. However, the Shoreline Master Program will become official after the Washington Department of Ecology approves the plan. That approval is expected to occur during 2013. The Shoreline Master Program can then be incorporated into the Comprehensive Plan by reference. The city does not anticipate any major work on this item in 2013 and incorporation into the Comprehensive Plan is a formality.

Scenic View Study (Discretionary Amendment)

This item was on the 2012 docket and is continued in to the 2013 amendment process. In 2012, the City and the Planning Commission gathered public input on this topic and identified approximately 27 views of interest. The Planning Commission also discussed methodologies to review the identified views and established criteria to evaluate them. The Planning Commission is currently narrowing down the views for further analysis.

2016 Comprehensive Plan Update (Mandated Amendment)

This item is a requirement for local governments such as Oak Harbor that are fully planning under the Growth Management Act. The original deadline for this requirement in accordance to RCW 36.70A.130 was 2012, but legislation was passed to extend the deadline to 2016. This item will revisit all the elements of the Comprehensive Plan such as Land Use, Housing, Capital Facilities, Utilities, Transportation, Economic Development, Parks and Recreation, Public Facilities etc. This item will span multiple years leading up to adoption in 2016. The scope of work for this item in 2013 will be to review the current policies and identify the scope and process for the update.

OHMC 18.15.070 establishes the criteria to review the Comprehensive Plan Amendment Docket. The table below provides the applicability of the criteria to the proposed preliminary docket.

<b>Criteria provided in OHMC 18.15.070 (2)</b>	<b>2016 Update</b>	<b>Shoreline Master Program</b>	<b>Scenic Views Study</b>	<b>Land Use Changes (1000 SE City Beach Street)</b>
(a) The proposed amendments are consistent with Growth Management Act (GMA) and the Countywide Planning Policies (CPP).	✓Yes Mandated (RCW 36.70A.130)	✓Yes Mandated (RCW 90.58.080)	The study and the process is consistent with GMA and CPP	Considering the land use prior to zoning changes is consistent with GMA and CPP
(b) The proposal does not appear to contradict other elements, goals and policies within the Comprehensive Plan.	None identified	None identified	None identified at this time, however there is a potential	None identified at this time

			that eventually there may be some opposing policies to discuss	
(c) The proposal will implement or further existing goals and policies in the Comprehensive Plan.	✓Yes Updates will keep the Comprehensive Plan in compliance with GMA	✓Yes Updates will keep the Comprehensive Plan in compliance with GMA	The study will strengthen and implement some of the existing policies in Urban Design and may challenge some policies in Economic Development	Considering this land use change will be done within the context of existing goals and policies.
(d) The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.	NA	NA	NA	NA
(e) The proposed amendments have been clearly defined to determine a fairly accurate scope of work.	✓Yes since it is mandated. The scope of work will be determined in 2013	✓Yes	✓Yes	✓Yes
(f) The proposed amendments responds to an expressed desire by the community.	NA	NA	✓Yes	This is a necessary action to consider
(g) The public interest would be best served by considering the proposal in the current year.	✓Yes	✓Yes	✓Yes	✓Yes

**RECOMMENDATIONS**

1. Conduct the public hearing.
2. Recommend that the City Council approve the proposed Docket for the 2013 Comprehensive Plan Amendments.

**Attachments:**

Attachment 1 - Proposed Docket (City Council Resolution)

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ADOPTING THE DOCKET FOR THE 2013 COMPREHENSIVE PLAN AMENDMENTS

WHEREAS, the City of Oak Harbor first adopted a Comprehensive Plan consistent with the requirements of the Washington State Growth Management Act (Chapter 36.70A RCW) in 1995 by Ordinance 1027, and adopted amendments to the plan in 1997 by Ordinance 1100, in 1998 by Ordinance 1161, in 2000 by Ordinance 1215, in 2001 by Ordinance 1287, in 2003 by Ordinance 1340, in 2004 by Ordinance 1396, in 2005 by Ordinance 1439 and in 2007 by Ordinance 1488 and in 2008 by Ordinance 1542; and and in 2009 by Ordinance 1564; and 2010 by Ordinance 1594; and 2012 by Ordinance 1647; and

WHEREAS, THE CITY OF OAK HARBOR, in the public interest, may adopt amendments or revisions to the Comprehensive Plan no more frequently than once per year in accordance with the State of Washington Growth Management Act RCW 36.70A.130(2); and

WHEREAS, the City of Oak Harbor in accordance with RCW 36.70A.130 has adopted Ordinance 1565 that established a schedule and process to review and amend the Comprehensive Plan; and

WHEREAS, the proposals in the preliminary docket, as presented below, were reviewed against the criteria established in OHMC 18.15.070(2) and determined to be generally consistent; and

WHEREAS, the Planning Commission conducted a public hearing on the preliminary docket on January 22, 2013; and

WHEREAS, the City Council conducted a public hearing on the docket on \_\_\_\_\_, 2013; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Oak Harbor that the docket contained herein shall be established as the 2013 Comprehensive Plan Docket:

2013 Comprehensive Plan Amendment Docket

Proposed Amendment	Type of Amendment	Priority as per OHMC 18.15.050
2016 Comprehensive Plan Update	Mandated RCW 36.70A.130	Priority A
Shoreline Master Program	Mandated RCW 36.70A.130	Priority A
Land Use Changes – 1000 Se City Beach Street	Sponsored	Priority B
Study on Scenic Views	Discretionary	Priority C

PASSED and approved by the City Council this \_\_\_\_\_, 2013.

THE CITY OF OAK HARBOR

\_\_\_\_\_  
Scott Dudley  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

**PLANNING COMMISSION  
REGULAR MEETING  
CITY HALL – COUNCIL CHAMBERS  
January 22, 2013**

**ROLL CALL: Present:** Keith Fakkema, Greg Wasinger, Jeff Wallin, Kristi Jensen, David Fikse, Bruce Freeman and Ana Schlecht.

**Staff Present:** Development Services Director, Steve Powers and Senior Planners, Cac Kamak and Ethan Spoo.

Chairman Fakkema called the meeting to order at 7:30 p.m. and recognized two new members of the Planning Commission, Ana Schlecht and Bruce Freeman.

**MINUTES: MR. WALLIN MOVED, MR. WASINGER SECONDED, MOTION CARRIED TO APPROVE THE DECEMBER 11, 2012 MINUTES AS PRESENTED.**

**PUBLIC COMMENT:**

None present for comment.

**2013 COMPREHENSIVE PLAN AMENDMENT DOCKET – Public Hearing**

Mr. Kamak explained, the City is required by the Growth Management Act (GMA) to adopt a comprehensive plan and to review and revise it annually. The process to amend the Comprehensive Plan begins in October with a notice in the newspaper, City website and Channel 10 to solicit applications for amendments. The City usually receives applications from property owners (sponsored amendments) for land use changes, however, no applications were received this year.

Mr. Kamak summarized the four items on the 2013 docket as follows:

**Land Use Changes (Sponsored Amendment)**

The Development Services Director, as permitted by OHMC 18.15.030(d), has added a land use change request for city-owned property located at 1000 SE City Beach Street (old city shop site) to the preliminary docket. The City wishes to explore future uses for this property. As those uses are not likely to be residential (the existing land use designation is “High Density Residential”) a land use map amendment will be necessary.

**Shoreline Master Program (Mandated Amendment)**

The City Council adopted the Shoreline Master Program on November 20, 2012. The Shoreline Master Program will become official after the Washington Department of Ecology approves the plan. That approval is expected to occur during 2013. The Shoreline Master Program can then be incorporated into the Comprehensive Plan by reference. Incorporation into the Comprehensive Plan is a formality.

**Scenic View Study (Discretionary Amendment)**

This item was on the 2012 docket and is continued in to the 2013 amendment process. In 2012, the City and the Planning Commission gathered public input on this topic and identified approximately 27 views of interest. The Planning Commission also discussed methodologies to review the identified views and established criteria to evaluate them. The Planning Commission is currently narrowing down the views for further analysis.

2016 Comprehensive Plan Update (Mandated Amendment)

This item is a requirement for local governments such as Oak Harbor that are fully planning under the Growth Management Act. The original deadline for this requirement in accordance to RCW 36.70A.130 was 2012, but legislation was passed to extend the deadline to 2016. This item will revisit all the elements of the Comprehensive Plan such as Land Use, Housing, Capital Facilities, Utilities, Transportation, Economic Development, Parks and Recreation, Public Facilities etc. This item will span multiple years leading up to adoption in 2016. The scope of work for this item in 2013 will be to review the current policies and identify the scope and process for the update.

Mr. Fakkema opened the public hearing for comment seeing none the public hearing was closed.

**ACTION: MS. JENSEN MOVED, MR. WALLIN SECONDED A MOTION TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE 2013 COMPREHENSIVE PLAN AMENDMENT DOCKET AS PRESENTED. MOTION CARRIED.**

ELECTRONIC MESSAGE CENTER SIGNS CODE UPDATE – Public Meeting

Mr. Spoo presented a Power Point presentation (Attachment 1) which introduced information on the new sign technology available, the most recent update to the code for sign technology, how other cities treat digital signs, basic policy choices presented by digital signs for Oak Harbor and criteria to help decide how to make decisions about policy choices.

Planning Commission Discussion

Mr. Fikse commented that digital signs are the newest technology and the old City Code doesn't address the modern technologies. The quality of digital LED signs varies greatly and the question is what can we do with the code to ensure that digital signs are visually pleasing. Mr. Fikse suggested banning solid white backgrounds, requiring light sensitive photocells that will dim the signs in low light conditions which will take care of the brightness issues. An advantage to the new technology is that it allows the sign to be altered.

Mr. Wasinger asked his fellow Commissioners if the size restrictions in the existing regulations were adequate. The consensus was that the size limits were fine.

Mr. Freeman commented that stand alone businesses are one thing but what happens when you have a business center and they all have digital signs of varying brightness competing for attention.

Ms. Schlecht asked staff to provide photographs of the situation that Mr. Freeman spoke of as well as photos from small towns that have done the digital LED signs well.

Mr. Fakkema commented that he would like to explore the issue of pole signs as opposed to storefront signs and pixel size. He believed that the pole signs were already a blight on the visual landscape. Do we want to increase the proliferation or manage the proliferation and are we going to address the changing technology every two years?

Mr. Fikse said that he believed the immediate issue is the less caliber LEDs. The size LED's in his sign are 5.5 millimeters in diameter. Most LED signs use 6.5 to 8 millimeter. LEDs come in different strengths. The question is how can we regulate the small LED versus less expensive larger LED's or should we even try.

Mr. Fikse believed that it was important to look at allowing digital LED signs and do it the right way in order to help businesses be successful and encourage other businesses to come to Oak Harbor.

Mr. Fikse noted that whether you call the signs video, animation or transition; they are all video and that is something that the City needs to come to grips with. RSS feed is currently not allowed by the current code. RSS feed is live video. "Amber Alerts" and emergency broadcasts are RSS feed. Mr. Fikse indicated that he would like those types of RSS feeds allowed.

Mr. Spoo said that he would provide photos of digital signs in centers, more guidance on free standing versus storefront signs and draft code language.

Ms. Schlecht asked Mr. Spoo to check whether the Scenic Highway regulations would allow digital signs. Mr. Spoo said that most of the scenic highway corridor deals with public signs and guidance through the scenic corridor and doesn't talk too much about commercial signage. Mr. Powers added that there is acknowledgment that the City has a different character than the areas north and south of us and we are an urban portion of the scenic byway. Mr. Powers also noted for the new members of the Commission that when the City updates any of its development regulations the draft code has to be sent to the Washington Department of Commerce and they send it out to other member agencies (Department of Ecology, Department of Transportation, Department of Natural Resources etc.). Then those agencies will offer comments if they feel so inclined.

#### **2012 COMPREHENSIVE PLAN AMENDMENTS – SCENIC VIEWS** – Public Meeting

Mr. Kamak recapped the Planning Commission's activities on this item. In 2012 the Planning Commission placed a study of the City's scenic view on the 2012 Comprehensive Plan Docket. There was a public outreach done in the summer of 2012 asking for photographs of scenic views. In December 2012 the Planning Commission reviewed criteria for evaluating scenic views within Oak Harbor (view from public property, streets, pedestrian trail, views of specific land marks, do we need to buy property, is there a need for special zoning regulations, is it an entryway view, is there waterfront connectivity). Since not all scenic views have the same public interest and value, the Planning Commission also weighted the criteria to help narrow down the selection and focus on the views that preserves the community's interests.

At the end of December's meeting Commissioners were asked to rank the views on their own. Page 34 of the Planning Commission packet shows the results of the scoring.

Mr. Kamak displayed each view and scoring sheet to do the final scoring. The results of the Planning Commission's second round of scoring are shown below.

	<b>Views</b>	<b>Rating Score (First round)</b>	<b>Qualified (Y/N) (Second round)</b>	<b>Reason</b>
1	Northbound SR 20 – Scenic Heights to Erie	350	Y	View from public highway (SR20)
2	Northbound SR 20 – Swantown to Scenic Heights	300	N	Private property zoned R-4 would only be a peek-a-boo even with new zoning regs for landscaping & setbacks
3	Scenic Heights Trailhead	325	N	View is already across public property so view already preserved

ATTACHMENT 2

	Views	Rating Score (First round)	Qualified (Y/N) (Second round)	Reason
4	SW Freund Street	275	N	Private property and plat already has height restrictions
5	Waterloo Rd & Scenic Heights	175	N	Volume of traffic not enough to merit City intervention to protect view
6	Swantown – Kimball to SR 20	200	N	Private property zoned R-4 would only be a peek-a-boo even with new zoning regs for landscaping & setbacks
7	Swantown & Fireside Lane	125	N	Already developed private property/only a peek-a-boo view
8	Barrington Drive and Fleet Street int	175	N	Private property and plat already has height restrictions
9	Fleet Street	225	N	Steep elevation drop any construction will not obstruct view/Private property and plat already has height restrictions
10	Barrington Drive and Fairhaven int	175	N	Private property and plat already has height restrictions
11	Waterfront Trail – Windjammer Park	400	Y	City property can self regulate
12	Waterfront Trail – Flintstone Park	400	Y	City property can self regulate/think about Walrath properties and how view could be affected in future
13	Bayshore Drive – Dock to Midway	450	Y	City property can self regulate
14	Pioneer Way – Midway to Regatta	450	Y	City property can self regulate
15	Pioneer Way – Ireland to Midway	300	Y	Private property – work with property owner to preserve view through incorporating design elements to preserve view (provide walkway)
16	Pioneer Way – SR 20 to City Beach	200	N	Private property/only a peek-a-boo view
17	Jensen Street	175	N	Volume of traffic not enough to merit City intervention to protect view
18	Midway Blvd – SE 8 <sup>th</sup> to Midway	250	N	Would only be a peek-a-boo and view opens up when you reach Midway Blvd and move on to Bayshore Drive
19	Regatta Drive – SE 8 <sup>th</sup> to Pioneer Way	450	Y	View from public street, city can regulate landscaping to keep the view

	Views	Rating Score (First round)	Qualified (Y/N) (Second round)	Reason
20	Skagit Valley College parking lot	150	N	Steep elevation drop any construction will not obstruct view
21	Crosby Ave by Cathlamet Drive	175	N	View of Mt. Baker already high enough it will be protected
22	Crosby Ave by Prow Street	75	N	North side of street is County property and outside of City UGA, south side is City limits and UGA
23	Airline Way	175	N	View is across County property
24	SW 6 <sup>th</sup> and Dyer	175	N	View across school property
25	Southbound SR 20 and NE 16 <sup>th</sup> Ave	350	Y	View from public street, city can regulate landscaping to keep the view
26	Dock Street – Barrington to Bayshore	375	Y	Preserve connectivity to water
27	Ft Nugent Avenue – Quince St to Neinhuis St	350	N	Setbacks and street tree height can be regulated to preserve view

Mr. Kamak noted that views identified for preservation will be evaluated further at future meetings and all views in the table will remain identified as scenic views.

**ADJOURN: 9:37 p.m.**

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

**Bill No.** 3  
**Date:** March 5, 2013  
**Subject:** INTRODUCTION: Code  
Amendment – Chicken Hens

**FROM:** Steve Powers  
Development Services Director

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

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

**PURPOSE**

This agenda bill presents a draft ordinance that amends Oak Harbor Municipal Code Title 7, Animals, and Title 19, Zoning, to permit the keeping and raising of chicken hens within the city limits.

**AUTHORITY**

RCW 35A.11 grants cities the authority to regulate their affairs.

**FISCAL IMPACT DESCRIPTION**

Funds Required: \$ N/A  
Appropriation Source: \$ N/A

**SUMMARY STATEMENT**

The Oak Harbor Municipal Code does not presently allow for the keeping of chicken hens within the city limits. At the December 4, 2012 meeting, a citizen requested the City Council re-examine this policy decision. In response to that request, the Council directed staff to prepare an ordinance allowing for the keeping of chicken hens and present the same on March 5, 2013.

Oak Harbor Municipal Code Section 1.04.020(2) provides that an ordinance may be adopted without a public hearing if the ordinance is first introduced at one public meeting, and then scheduled for action at a second public meeting. In keeping with this provision, the draft ordinance is presented for introduction only at this time. The Council is requested to set March 19, 2013 as the public meeting date for its consideration and possible passage.

AN ORDINANCE OF THE CITY OF OAK HARBOR AMENDING OAK HARBOR MUNICIPAL CODE TITLE 7, ANIMALS, BY ADDING A NEW CHAPTER 7.42, CHICKEN HENS, AND ALLOWING FOR THE KEEPING OF CHICKEN HENS WITHIN THE CITY LIMITS AND AMENDING OAK HARBOR MUNICIPAL SECTION 19.08.425, KENNEL, COMMERCIAL BY DELETING THE PROHIBITION OF THE KEEPING OF ALL POULTRY AND ALLOWING THE KEEPING OF CHICKEN HENS.

WHEREAS, the keeping of chicken hens in an urban environment is associated with the “Urban Agriculture Movement”, which is the growing practice of cultivating, processing and distributing food in, or around a village, town or city; and

WHEREAS, according to the National Sustainable Agriculture Information Service there are a host of personal benefits associated with Urban Agriculture and keeping chicken hens in one’s own backyard; and

WHEREAS, some of these benefits include; a step towards self-sufficiency through the backyard production of eggs, a compatible partner to a backyard garden through pest control and the production of fertilizer, a cut down on kitchen scraps by feeding to the flock, education for children on where food comes from, and the desire for some to enjoy aspects of "country living" in an urban environment; and

WHEREAS, the Oak Harbor Municipal Code does not presently allow for the keeping of chicken hens within the city limits; and

WHEREAS, the Oak Harbor City Council has heard from citizens that they believe this activity should be allowed; and

WHEREAS, on December 4, 2012 the Oak Harbor City Council directed staff to prepare an ordinance allowing for the keeping of chicken hens and present the same on March 5, 2013.

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

**Section One.** A new chapter of the Oak Harbor Municipal Code, Chapter 7.42, Chicken Hens, is hereby adopted to read as follows:

**Chapter 7.42 Chicken Hens.**

**Sections:**

7.42.010 Keeping of chicken hens.

**Section Two.** A new section of the Oak Harbor Municipal Code, Section 7.42.010, Keeping of Chicken Hens, is hereby adopted to read as follows:

**7.42.010 Keeping of chicken hens.**

- (1) The keeping of chicken hens, if permitted under the terms of any private covenants, conditions or restrictions applicable to the subject property, shall be permitted on properties used for single-family and duplex residential purposes under the following conditions:
- (a) Keeping of roosters shall be prohibited.
  - (b) Chicken hens may be kept, as provided in this section, by the owner or tenant of any single-family or duplex residence, provided that the hens are kept on the same parcel where the owner of the hens resides or on a contiguous parcel under the same ownership.
  - (c) One chicken hen is allowed for each one thousand five hundred (1,500) square feet of lot area to a maximum of six hens.
  - (d) Chicken hens shall be contained at all times within a fence, pen or coop which is constructed to prevent dogs, coyotes, cats, raccoons, rats, eagles and other predators and pests from accessing the hens
  - (e) For each chicken hen, a fenced open yard area of at least twenty (20) square feet and a fully-enclosed shelter of at least four square feet shall be provided.
  - (f) Fenced open yard area and enclosed shelters shall be a minimum of twenty (20) feet from any habitable residential building on an adjacent property.
  - (g) Chicken hens shall be treated humanely, and shall be provided adequate food, water and shelter.
  - (h) Chicken hen enclosures and fenced open-yard areas shall be kept in a good working and sanitary condition, shall not cause odor or noise nuisances, and shall not be deemed to be unsightly from any public right-of-way, as determined by the animal control officer.

- (i) Coops and hen enclosures shall not be located in the front yard of a lot nor in a side yard which abuts a street.
- (j) Two or more people may cooperatively own and care for chicken hens by means of a portable coop that may be moved from one property to another, provided that all requirements of this code are met on each of the properties to which the coop is moved.

**Section Three.** A new section of the Oak Harbor Municipal Code, Section 7.42.020, Violations, is hereby adopted to read as follows:

**7.42.020 Penalties.**

- (1) The failure to comply with the provisions of this chapter shall constitute a class 1 civil infraction, adjudicated in accordance with Chapter 1.28 of the Oak Harbor Municipal Code. The maximum penalty and default shall be \$250.00. Each day of violation shall be a separate offense. This is an absolute liability offense. No mental element as defined in law is required for proof of violation.
- (2) The knowing or intentional failure or refusal to comply with an abatement order of a nuisance is a misdemeanor which shall be punished by imprisonment in jail for a maximum term fixed by the court of not more than 90 days, or by a fine in an amount fixed by the court of not more than \$1,000, or by both such jail sentence and fine.

**Section Four.** Oak Harbor Municipal Code Section 19.08.425, Kennel, Commercial, last amended by Ordinance 1555 § 4 in 2009 is hereby amended to read as follows:

**19.08.005 Definitions.**

As used in this title, words in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular, the word “person” may be taken for persons, association, firm, partnership or corporation, the word “structure” includes buildings, the word “occupied” includes designed or intended to be used and the word “shall” is always mandatory and not merely directive. The following words and phrases, unless the context of this title otherwise requires, shall have the meanings set forth in this chapter.

**19.08.010 Accessory dwelling unit.**

“Accessory dwelling unit” means a habitable living unit added to, created within or detached from a single-family dwelling that provides basic requirements for living, sleeping, eating, cooking and sanitation.

**19.08.015 Accessory use.**

“Accessory use” means a use incidental and subordinate to the principal use and located on the same lot or in the same building as the principal use.

**19.08.020 Alley.**

“Alley” means a passageway open to public travel which affords generally a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation.

**19.08.025 Alteration.**

“Alteration” means a change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the sides or increasing the height or depth, or the moving from one location to another. In buildings for business, commercial, industrial or similar uses the installation or rearrangement of partitions affecting more than one-third of a single floor area shall be considered an alteration.

**19.08.030 Assisted living facility.**

“Assisted living facility” means a facility that provides, on a regular basis, personal care, including dressing and eating and health-related care and services, to individuals who require such assistance but who do not require the degree of care and treatment that a hospital or skilled nursing facility provides.

**19.08.035 Auto convenience market.**

“Auto convenience market” means a place where gasoline, motor oil, lubricants, or other minor accessories are retailed directly to the public on the premises in combination with the retailing of items typically found in a convenience market or supermarket.

**19.08.040 Automatic teller machine.**

“Automatic teller machine” means an automated device that performs banking or financial functions at a location remote from the controlling financial institution.

**19.08.045 Automobile service station including self-service.**

“Automobile service station including self-service” means any building, land area or other premises or portion thereof used or intended to be used for the retail dispensing or sales of vehicular fuels and including as accessory use the sale and installation of lubricants, tires, batteries and similar accessories.

**19.08.050 Aviation environs.**

“Aviation environs” means the geographic area that is affected by the Whidbey Island Naval Air Station at Ault Field air traffic operations and defined on the basis of those areas immediately affected by the 60 Ldn and greater noise exposure area from the Air Installation Compatible Use Zones Study for NAS Whidbey Island Ault Field. This area is represented on the Oak Harbor noise zone map and designated aviation environs overlay zone (AE).

**19.08.055 Banner.**

“Banner” means a flexible material (i.e., cloth, paper, vinyl, etc.) on which a sign is painted or printed.

**19.08.060 Basement.**

“Basement” means a space having one-half or more of its floor-to-ceiling height above the average level of the adjoining ground and with the floor-to-ceiling height of not less than seven and one-half feet.

**19.08.065 Berm.**

“Berm” means an earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

**19.08.070 Binding site plan.**

“Binding site plan” means a drawing to a scale specified by local ordinance which:

- (1) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations;
- (2) Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan; and
- (3) Contains provisions making any development be in conformation with the site plan.

**19.08.075 Hearing examiner.**

“Hearing examiner” means a quasi-judicial hearing officer empowered to hear appeals from orders or determinations made by an administrative official charged with the enforcement of this title and to vary or modify certain provisions of this title relating to the use, construction or alteration of buildings or structures or the use of land, so that the spirit of this title is observed, public safety and welfare secured and substantial justice done.

**19.08.078 Building code.**

“Building code” means the International Building Code as now in effect or as hereafter amended, added to or otherwise changed and all sections of OHMC Title [17](#) which provides for a building code for Oak Harbor as it is now in effect or as hereafter amended, added to or otherwise changed.

**19.08.079 Fire code.**

“Fire code” means the International Fire Code as now in effect or as hereafter amended, added to or otherwise changed and all sections of OHMC Title [8](#) which provides for a fire code for Oak Harbor as it is now in effect or as hereafter amended, added to or otherwise changed.

**19.08.080 Brew pub.**

“Brew pub” means an establishment which contains a full-service standard restaurant and alcoholic beverages. This establishment also contains a minibrewery as an accessory use; provided, that sales of the minibrewery products are less than 50 percent of total sales. This minibrewery shall be for the brewing of handcrafted, natural beer intended for retail consumption on the premises and on any premises that has a license as a standard full-service restaurant owned and operated in its entirety by the same corporate ownership and management as the brew pub.

**19.08.085 Buffer.**

“Buffer” means a combination of physical space and vertical elements, such as plants, berms, fences or walls, the purpose of which is to separate and screen land uses from each other.

**19.08.090 Buildable area.**

“Buildable area” means that portion of the building site that remains after the required yards and open spaces have been excluded.

**19.08.095 Building.**

“Building” means any structure having a roof, but excluding all forms of vehicles even though immobilized. When a use is required to be within a building, or where special authority granted pursuant to this title requires that a use shall be within an entirely enclosed building, then the term “building” means one so designed and constructed that all exterior walls of the structure shall be solid from the ground to the roof line, and shall contain no openings except for windows and doors which are designed so that they may be closed.

**19.08.100 Building, accessory.**

“Accessory building” means a subordinate building the use of which is incidental and customary to that of the principal building and which is located on the same lot including a private garage. If any accessory building is attached to the principal building by a common wall or roof, such accessory building shall be considered a part of the principal building.

**19.08.105 Building area.**

“Building area” means the total ground coverage of a building or structure which provides shelter measured from the outside of its external walls or supporting members or from a point four feet in from the outside edge of a cantilevered roof, whichever covers the greatest area.

**19.08.110 Building, detached.**

“Detached building” means a building surrounded on all sides by open space.

**19.08.115 Building height.**

“Building height” means the vertical distance from the average natural grade level to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the average height of the

highest gable of a pitched or hipped roof. Average natural grade shall be defined as the average elevation of the highest corners and the lowest corners of the lot or parcel.

**19.08.120 Building line.**

“Building line” means the line of that face, corner or part of a building nearest the property line, excluding eaves up to three feet.

**19.08.125 Building, multiple-occupancy.**

“Multiple-occupancy building” means a single structure housing more than one type of retail business office or commercial venture.

**19.08.130 Building, office.**

“Office building” means an office building in the commercial and residential-office land use districts as defined by this title.

**19.08.135 Building, quasi-public.**

“Quasi-public building” means a structure occupied by an activity essentially public in nature, supported by public funds under private ownership or contract and nonprofit in character.

**19.08.140 Building, single-occupancy.**

“Single-occupancy building” means a commercial building or structure with one major enterprise, generally under one ownership. A building is classified as single occupancy only if it has:

- (1) One occupant;
- (2) No wall in common with another building;
- (3) No part of its roof in common with another building.

**19.08.145 Building site.**

“Building site” means a parcel of land occupied or intended to be occupied by a main building and its accessory buildings together with all yards and open spaces required by this title.

**19.08.150 Canopy.**

“Canopy” means a freestanding structure affording protection from the elements to persons or property thereunder.

**19.08.155 Carport.**

“Carport” means a roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than two sides.

**19.08.160 Certificate of occupancy.**

“Certificate of occupancy” means a permit to occupy a premises issued by the building official after inspection has verified compliance with the requirements and provisions of this title and applicable building codes.

**19.08.165 Child day care center.**

“Child day care center” means a facility providing regularly scheduled care for a group of children one month of age through 12 years of age for periods less than 24 hours; except, a program meeting the definition of a family child day care home shall not be licensed as a day care center without meeting the requirements of WAC [388-150-020\(5\)\(a\)](#).

**19.08.170 Church.**

“Church” means an establishment, the principal purpose of which is religious worship and for which the principal building or other structure contains the sanctuary or principal place of worship and which includes related accessory uses in the principal building or in other separate structures.

**19.08.175 City.**

“City” shall mean the city of Oak Harbor.

**19.08.180 City staff.**

“City staff” shall mean the department(s) directed by the mayor to implement this title.

**19.08.185 Club.**

“Club” means an incorporated or unincorporated association of persons organized for a social, fraternal, athletic, educational, literary or charitable purpose. Property occupied by a club shall be deemed to be semiprivate in character and shall be subject to the regulations governing public buildings and places, excluding groups organized primarily to render a service which is normally considered a business.

**19.08.190 Coffee kiosk.**

“Coffee kiosk” means a retail food business in a freestanding building that sells coffee, or other beverages, and premade bakery goods from a drive-through window to customers seated in their automobiles for consumption off the premises and that provides no indoor or outdoor seating.

**19.08.195 Commercial use.**

“Commercial use” means an activity with goods, merchandise or services for sale or involving a rental fee.

**19.08.200 Commercial vehicle.**

“Commercial vehicle” means a motor vehicle used for purposes other than a family car, such as a taxi, delivery or service vehicle.

**19.08.205 Conditional use.**

“Conditional use” means a use which, because of special requirements, unusual character, size or shape, infrequent occurrence or possible detrimental effect on surrounding property and for other similar reasons, may be allowed in certain zones only after review by the hearing examiner and the granting of a conditional use permit imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity or zone.

**19.08.210 Condominium.**

“Condominium” means the ownership of single units or apartments in a building containing two or more units or two or more buildings each containing one or more units with common areas and facilities as provided in Chapter [64.32](#) RCW. The term “condominium” refers to the ownership arrangement, not the land use. The unit may be any permitted type.

**19.08.215 Court.**

“Court” means an open, unoccupied space other than a yard, on the same lot with a building or buildings and which is bounded on two or more sides by such building or buildings including the open space in a house, court or apartment, providing access to the units thereof.

**19.08.220 Covered moorage building area.**

“Covered moorage building area” means the area of water lying directly beneath that portion of a structure covered by a roof.

**19.08.225 Currency exchange.**

“Currency exchange” means any person, except a bank, trust company, savings bank, savings and loan association, credit union or industrial loan and thrift company, engaged in the business of cashing checks, drafts, money orders or traveler’s checks for a fee. This term does not include a person who provides these services incidental to the person’s primary business if the charge for cashing a check or draft does not exceed \$1.00 or one percent of the value of the check or draft, whichever is greater.

**19.08.230 Data processing facility.**

“Data processing facility” means an establishment primarily involved in the compiling, storage and maintenance of documents, records and other types of information in digital form utilizing a mainframe computer. This term does not include general business offices, computer-related sales establishments and business or personal services.

**19.08.235 Day-night average sound level (Ldn).**

“Day-night average sound level (Ldn)” means a cumulative aircraft noise index that estimates the exposure to aircraft noise at a certain geographic point and relates the estimated exposure to an expected community response.

**19.08.240 Deciduous.**

“Deciduous” means a plant with foliage that is shed annually.

**19.08.245 Density.**

“Density” means the number of dwelling units divided by the gross acre.

**19.08.250 Design review board.**

“Design review board” means a committee, appointed by the city council, consisting of at least one design professional, to advise the planning department concerning the design of projects.

**19.08.252 Director of development services.**

The zoning code shall be administered by the “director of development services.” The director of development services or his or her designee shall carry out the duties and responsibilities assigned to the “planning director” or “director of planning and community development” under this title.

**19.08.255 Dock.**

“Dock” means a basin for moorage of boats, including a basin formed between the extension of two piers or the area between a bank or quay and a pier. Docking facilities may include wharves, moorage or docks or any place or structure connected with the shore or upon shore lands providing for the securing of a boat or vessel.

**19.08.260 Dwelling, multifamily.**

“Multifamily dwelling” means a building designed to house two or more families living independently of each other and having one yard in common.

**19.08.265 Dwelling, single-family.**

“Single-family dwelling” means a detached building designed for and occupied exclusively by one family and the household employees of that family.

**19.08.270 Dwelling unit.**

“Dwelling unit” means a building or portion thereof providing complete housekeeping facilities for one family. The term “dwelling” does not include motel, tourist court, rooming house, or tourist home.

**19.08.275 Electrical distribution substation.**

“Electrical distribution substation” means an assembly of equipment designed to receive energy from a high voltage distribution supply system, to convert it to a form suitable for local distribution and distribute the energy to feeders through switching equipment designed to protect the service from the effects of faults.

**19.08.280 Essential public facility.**

“Essential public facility” means a facility, conveyance, or site whose services are provided by a governmental agency, a private or nonprofit organization under contract to or with substantial funding from government agencies, or a private organization subject to public service

obligations, which is necessary to adequately provide a public service and which is typically hard to site.

**19.08.285 Essential use.**

“Essential use” means that use for the preservation or promotion of which the use district was created, and to which all other permitted uses are subordinate.

**19.08.290 Evergreen.**

“Evergreen” means a plant with foliage that persists and remains green year-round.

**19.08.295 Extended stay motel.**

“Extended stay motel” shall mean and include any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes for guests and contain kitchen facilities for food preparation, including, but not limited to, such facilities as refrigerators, stoves and ovens.

**19.08.300 Factory-built structure.**

“Factory-built structure” means a structure that is designed for occupation or use, or is occupied or used by persons, and that complies with the building code, including factory-built housing and commercial structures. It also includes structures built under federal code declared to be equivalent to the building code.

**19.08.305 Family.**

“Family” means one or more persons related by blood, marriage, adoption or a group of not more than five persons (excluding servants) not related by blood or marriage, living together as a single housekeeping unit in a dwelling unit.

**19.08.310 Floor area.**

“Floor area” means the sum of the gross horizontal areas of the floors of a building or buildings, measured from the exterior faces of exterior walls and from the centerline of division walls. Floor area shall include: basement space, elevator shafts and stairwells at each floor, mechanical equipment rooms or attic spaces with headroom of seven feet six inches or more, penthouse floors, interior balconies and mezzanines, and enclosed porches. Floor area shall not include: accessory water tanks and cooling towers, mechanical equipment or attic spaces with headroom of less than seven feet six inches, exterior steps or stairs, terraces, breezeways and open spaces.

**19.08.315 Fraternity, sorority or student cooperative.**

“Fraternity, sorority or student cooperative” means a building occupied by and maintained exclusively for students affiliated with an academic or professional college or university, or other recognized institution of higher learning and regulated by such institution.

**19.08.320 Garage, commercial.**

“Commercial garage” means a building or portion thereof designed and used for the storage, repair or servicing of motor vehicles or boats as a business.

**19.08.325 Gated community.**

“Gated community” means a residential area that restricts access to normally public spaces.

**19.08.330 General promotions.**

“General promotions” means events which occur on a regular basis in retail business for the purpose of boosting sales, attracting new business, selling of certain items (i.e., year end, seasonal sales, civic events, etc.).

**19.08.335 Grade (adjacent ground elevation).**

“Grade (adjacent ground elevation)” means the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five feet from the building, between the building and a line five feet from the building.

**19.08.340 Grand openings and anniversaries.**

“Grand openings and anniversaries” means events that are held on a “once per year” basis for the purpose of advertising grand openings, ownership changes, or anniversaries.

**19.08.345 Greenbelt.**

“Greenbelt” shall mean dense coniferous plantings, or climbing varieties of nondeciduous vines on permanently installed aluminum mesh fencing, or architectural fencing of such design and material that retains its attractiveness with nominal maintenance.

**19.08.350 Ground cover.**

“Ground cover” shall mean small plants such as salal, ivy, ferns, mosses, grasses or other types of vegetation which normally cover the ground and shall include trees less than six inches in diameter measured at three feet above the ground level.

**19.08.355 Health club.**

“Health club” means a commercial establishment within a wholly enclosed building designed for the systematic care, development and rehabilitation of the physique and providing facilities for racquetball, handball, exercise rooms, sauna and/or related facilities.

**19.08.360 Home, family child day care.**

“Family child day care home” means a family child day care home, licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of eight or fewer children, including children who reside at the home, for periods less than 24 hours.

**19.08.365 Home, foster.**

“Foster home” means a foster home licensed by the state which regularly provides care on a 24-hour basis to one or more but not more than six foster children under the age of 18 years or to not more than three expectant mothers or to one or two adult disabled persons in the family dwelling of the person or persons under whose direct care and supervision the child, expectant mother or adult disabled person is placed.

**19.08.370 Home, group.**

“Group home” means a group home licensed by the state which regularly provides care on a 24-hour basis to six or more but not more than 10 children (including minor children of the staff residing on the premises) under the age of 18 years, or disabled adults, in the family dwelling of the person or persons under whose direct care and supervision the children or adults are placed, or other suitable facility.

**19.08.375 Home improvement center.**

“Home improvement center” means a facility of more than 30,000 square feet of gross floor area, engaged in the retail sale of various basic hardware lines, such as tools, builders’ hardware, paint and glass, housewares and household appliances, garden supplies and cutlery.

**19.08.380 Home occupation.**

“Home occupation” means an accessory use of the dwelling unit involving the manufacture, provision or sale of goods and/or services which is carried on by members of the family residing on the premises plus no more than one nonresident assistant or employee; provided, that additional nonresident assistants or employees may be permitted but shall require a conditional use permit. Garage sales and home parties are not defined as home occupations.

**19.08.385 Hospital.**

“Hospital” means an institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices and staff residences.

**19.08.390 Hospital, animal.**

“Animal hospital” means a building or premises for the medical or surgical treatment of animals or pets, including dog, cat and veterinary hospitals, including the boarding of hospitalized animals, but excluding the boarding of animals not subjected to medical or surgical treatment.

**19.08.395 Hotel.**

“Hotel” means any building or portion thereof containing five or more rooms that are rented, or hired out to be occupied or which are occupied for sleeping purposes for compensation whether the compensation be paid directly or indirectly. A central kitchen and dining room and accessory

shops and services catering to the general public can be provided. Not included are institutions housing persons under legal restraint or requiring medical attention or care.

**19.08.400 House, apartment.**

“Apartment house” means the building or portion of a building arranged or designed to be occupied as three or more separate dwelling units.

**19.08.405 House, boarding, lodging or rooming.**

“Boarding, lodging or rooming house” means any building or portion thereof having only one kitchen and used for the purpose of providing lodging with or without meals for compensation for no more than four persons other than the family of the operator occupying such dwelling.

**19.08.410 House, guest.**

“Guest house” means a detached structure, being an accessory to a one-family dwelling with not more than two bedrooms, having no kitchen facilities, and which shall be used and/or designed for use primarily by guests and/or servants for sleeping quarters only.

**19.08.415 Institution, educational.**

“Educational institution” means a college, junior college or university supported by public or private funds, tuitions, contributions or endowments, giving advanced academic instructions as approved by the State Board of Education or by a recognized accrediting agency, excluding preschool, elementary and junior and senior high schools and trade and commercial schools, including fraternity and sorority houses.

**19.08.420 Junkyard.**

“Junkyard” means a lot, land or structure, or part thereof, used for the collecting, storage and sale of waste paper, rags, scrap metal or discarded material, or for the collecting, dismantling, storage, salvaging or sale of parts of machinery or vehicles not in running condition.

**19.08.425 Kennel, commercial.**

“Commercial kennel” means any lot or building in which four or more dogs and/or cats, at least four months of age, are kept commercially for board or propagation or treatment. No animals, livestock or poultry of any kind shall be kept, raised or bred on a lot, [except chicken hens pursuant to OHMC 7.42, and](#) except that dogs, cats or other household pets may be kept, provided they are not kept, bred, or maintained for any commercial purposes. Four dogs, cats or other household pets kept in one place or on one lot, over four months of age, would be considered being kept for commercial purposes.

**19.08.430 Kitchen.**

“Kitchen” means any room used or intended or designed to be used for cooking and/or preparation of food.

**19.08.435 Land clearing.**

“Land clearing” shall mean the destruction and removal of vegetation by manual, mechanical, or chemical methods, from any undeveloped or partially developed lot or public lands.

**19.08.440 Landscape perimeter.**

“Landscape perimeter” means an unobstructed planting area which runs parallel to the rear yard and side yard property lines.

**19.08.445 Landscape policy manual.**

“Landscape policy manual” means a booklet prepared by the city of Oak Harbor which clarifies the purpose of Chapter [19.46](#) OHMC by providing examples and illustrations to augment this title.

**19.08.450 Landscape setback.**

“Landscape setback” means a minimum required landscaped width adjacent to a property line, common to a public street or private right-of-way.

**19.08.455 Landscaping.**

“Landscaping” means any combination of living plants, such as trees, shrubs, vines, ground covers, flowers or grass; natural features such as rock, stone, bark chips or shavings; and structural features, including but not limited to fountains, reflecting pools, outdoor art work, screen walls, fences, or benches.

**19.08.460 Ldn contour.**

“Ldn contour” means a line linking together a series of points of equal cumulative noise exposure based on the Ldn metric.

**19.08.465 Lot.**

“Lot” means a single tract of land no matter how legally described, whether by metes and bounds and/or by lot or lots and block designation as in a recorded plat, which at the time of applying for a building permit is designated by its owner or developer as the tract to be used, developed or built upon as a unit of land and assigned to the particular use for which the building permit is being secured and having frontage on or access to a public street.

**19.08.470 Lot area.**

“Lot area” means the total horizontal area within the boundary lines of a lot.

**19.08.475 Lot, corner.**

“Corner lot” means a lot at the junction of and having frontage on two or more intersecting streets.

**19.08.480 Lot coverage.**

“Lot coverage” means the portion of a lot that is occupied by the principal and accessory buildings, including all projections except eaves, expressed as a percentage of the total lot area.

**19.08.485 Lot depth.**

“Lot depth” means the mean dimension of the lot from the front street line to the rear line.

**19.08.490 Lot, developed single-family residential.**

“Developed single-family residential lot” shall mean a platted lot upon which a single-family, habitable dwelling exists, where there are no remaining stands of trees nor significant ground cover.

**19.08.495 Lot, interior.**

“Interior lot” means a lot fronting on one street.

**19.08.500 Lot, irregular shaped.**

“Irregular shaped lot” means a lot having an interior angle of 45 degrees or less.

**19.08.505 Lot line.**

“Lot line” means the property line bounding a lot.

**19.08.510 Lot line, front.**

“Front lot line” means, in the case of an interior lot, the lot line separating the lot from the street other than an alley, and in the case of a corner lot, it may be either frontage.

**19.08.515 Lot line, rear.**

“Rear lot line” means a lot line which is opposite and most distant from the front lot line, and in the case of a triangular or irregular shaped lot, a line 10 feet in length within the lot parallel to and at the maximum distance from the front lot line.

**19.08.520 Lot line, side.**

“Side lot line” means any lot line not a front or rear lot line.

**19.08.525 Lot, partially developed single-family residential.**

“Partially developed single-family residential lot” shall mean a lot or parcel of land upon which a single-family dwelling is located, which contains existing stands of trees or substantial ground cover. This may include phased developments or conversions to urban use.

**19.08.530 Lot, through.**

“Through lot” means a lot fronting on two streets that do not intersect on the parcel’s lot lines.

**19.08.535 Lot, undeveloped.**

“Undeveloped lot” shall mean a lot or parcel of land upon which no habitable single-family dwelling exists.

**19.08.540 Lot width.**

“Lot width” means the dimension of a lot line at the street, or in an irregularly shaped lot, the dimension across the lot at the building line, or in a corner lot, the narrow dimension of the lot at a street or building line.

**19.08.545 Marquee.**

“Marquee” means a covering structure projecting horizontally from and attached to a building, affording protection from the elements to persons or property thereunder.

**19.08.550 Mixed use.**

“Mixed use” means properties on which various uses such as office, commercial, institutional and residential are combined in a single building or on a single site in an integrated development project with significant functional interrelationships and a coherent physical design. A “single use” may include contiguous properties.

**19.08.555 Manufactured home.**

“Manufactured home” shall mean a factory-built dwelling unit which can be transported in one or more sections and is built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, and as defined by WAC [296-150M-0020](#). Manufactured homes can be either detached and used as a single-family residence or attached to other housing units in multifamily arrangements. A manufactured home shall also meet the provisions of OHMC [16.04.020](#), including but not limited to the requirement that it be set upon a permanent foundation.

**19.08.560 Manufactured home park.**

“Manufactured home park” means any property used for the accommodation of inhabited manufactured homes on a tenancy, lease or ownership basis which contains shared parking for residents or visitors, shared access drives for vehicle circulation and shared open spaces.

**19.08.565 Manufactured home subdivision.**

“Manufactured home subdivision” is a land division (either short plat or long plat) with manufactured homes placed on the lots. Manufactured home subdivisions have lots which take access from public or private streets, rather than common access drives.

**19.08.570 Moorage.**

“Moorage” means a place to tie up or anchor a boat or vessel.

**19.08.575 Motel.**

“Motel” means a building or buildings, detached or in connected units or designed as a single structure, the units of which are used as individual sleeping or dwelling units, having their own private toilet facilities and may or may not have their own kitchen facilities, and are designed primarily for the accommodation of transient automobile travelers. Accommodations for trailers

are not included. This term includes tourist court, motor lodge, auto court, cabin court, motor inn and similar names.

**19.08.580 Multiple-occupancy complex.**

“Multiple-occupancy complex” means a group of structures housing more than one type of retail business, office or commercial venture and generally under one ownership and control.

**19.08.585 Neighborhood convenience store.**

“Neighborhood convenience store” means an establishment primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, and limited household supplies and hardware. This term does not include fuel pumps or the selling of fuel for motor vehicles. Typical uses include neighborhood markets and country stores.

**19.08.590 Noise zone map.**

“Noise zone map” means a map prepared by the city of Oak Harbor and adopted as an aviation environs (AE) overlay zone, which serves as a geographic interpolation of Aviation Noise Contours as established by the NAS Whidbey Island AICUZ study program. When a property falls within more than one noise zone, the more restrictive noise zone requirements shall apply for the entire property.

**19.08.595 Nonconforming structure.**

“Nonconforming structure” means a structure which was lawfully constructed at the time the ordinance codified in this title became effective, but which structure, because of the passage of the ordinance codified in this title, does not conform to the standards of the district in which the structure exists.

**19.08.600 Nonconforming use.**

“Nonconforming use” means a use which lawfully occupied a building or land at the time the ordinance codified in this title became effective, but which use, because of the passage of the ordinance codified in this title, does not conform to the use regulations of the district in which the use exists.

**19.08.605 Nonconforming use, land.**

“Nonconforming land use” means the use of land which was a lawful use at the time the ordinance codified in this title became effective but which use, because of the passage of the ordinance codified in this title, does not conform to the regulations of the district in which the use exists.

**19.08.610 Occupant.**

“Occupant” means the person, firm or corporation that occupies the land or building.

**19.08.615 Opaque.**

“Opaque,” for the purposes of this title, means visually impenetrable.

**19.08.620 Open space.**

“Open space” means any part of a lot unobstructed from the ground upward.

**19.08.625 Parapet.**

“Parapet” means that portion of a building wall which extends above the roof of the building.

**19.08.630 Parking, employee.**

“Employee parking” shall mean those parking facilities required for the use of employees.

**19.08.635 Parking, off-street.**

“Off-street parking” means parking facilities for motor vehicles on other than a public street or alley.

**19.08.640 Parking space.**

“Parking space” means a space within or without a building, exclusive of driveways, used to temporarily park a motor vehicle and having access to a public street or alley.

**19.08.645 Penthouse.**

“Penthouse” means a structure on top of a building roof such as houses an elevator shaft, mechanical equipment or similar form.

**19.08.650 Permit, conditional use.**

“Conditional use permit” means documented evidence of authority granted by the hearing examiner to locate a conditional use at a particular location.

**19.08.655 Permit, land clearing.**

“Land clearing permit” shall mean a permit obtained from the city which allows the clearing of trees and/or ground cover.

**19.08.660 Permit, minor clearing.**

“Minor clearing permit” shall mean a permit obtained from the city which allows the removal of trees and/or ground cover, when the total trees and ground cover removed will not exceed five percent of the trees and ground cover on the lot.

**19.08.665 Permit, temporary use.**

“Temporary use permit” is a mechanism by which the city may permit a use, or multiple uses, to locate within the city on a short-term basis and by which the city may allow seasonal or transient uses not otherwise permitted.

**19.08.670 Permitted use.**

“Permitted use” means any use authorized or permitted alone or in conjunction with another use in a specified district and subject to the limitations of the regulations of such use district.

**19.08.675 Primary use.**

“Primary use” means the principal or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

**19.08.680 Professional office.**

“Professional office” means an office maintained and used as a place of business conducted by persons engaged in the healing arts for human beings, such as doctors and dentists (but wherein no overnight care for patients is given) and by engineers, attorneys, architects, accountants and other similar professions.

**19.08.685 Property line.**

“Property line” means the line denoting the limits of legal ownership of property.

**19.08.690 Public utility.**

“Public utility” means a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof. Such services shall include, but are not limited to, water supply, electric power, gas and transportation of persons and freight.

**19.08.695 Qualified affordable housing.**

“Qualified affordable housing” is housing which is affordable within the meaning of RCW [43.185A.010](#)(1) for lease, rent or purchase to households with incomes at or below 80 percent of the area median family income.

**19.08.700 Recreation facilities.**

“Recreation facilities” means facilities such as boat or yacht clubs, swimming pools, athletic clubs, golf and country clubs, for the use of the general public and operated by the municipal corporation.

**19.08.705 Recreational vehicle.**

“Recreational vehicle” means a vehicular-type unit primarily designed for recreational camping, travel or seasonal use which has its own motive power or is mounted on or towed by another

vehicle. The basic entities are: travel trailer, folding camping trailer, park trailer, truck camper, motor home and multi-use vehicles.

**19.08.710 Reside.**

“Reside” means to have one’s home, to dwell permanently or for a considerable time, and to have a settled abode for a time. Out-of-town residents who are visiting and staying with local residents on a temporary basis as guests shall not be considered to be residing thereat.

**19.08.715 School, commercial.**

“Commercial school” means a building where instruction is given to pupils in arts, crafts, or trades, and operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxation.

**19.08.720 Schools – Elementary, junior or senior high, including public, private and parochial.**

“Elementary, junior or senior high school, including public, private and parochial” means an institution of learning which offers instruction in the several branches of learning and study required to be taught in the public schools by the Washington State Board of Education.

**19.08.725 Screen.**

“Screen” means a method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, fences, walls, or any appropriate combination thereof.

**19.08.730 Secondary use, incidental or accessory.**

“Incidental or accessory secondary use” means a minor or secondary use for which a lot, structure or building is designed or employed in conjunction with but subordinate to its primary use.

**19.08.735 Setback and yard requirements.**

“Setback and yard requirements” are the distances that buildings or uses must be removed from their lot lines. Setbacks shall be measured, where applicable, from proposed or actual public or private street right-of-way lines.

**19.08.740 Shelter station.**

“Shelter station” means a shelter for the protection from the elements for the waiting customer of a transportation system.

**19.08.745 Shopping center.**

“Shopping center” means a group of retail and other commercial establishments that is planned, owned and managed as a single property. On-site parking is provided. The center’s size and

orientation are generally determined by the market characteristics of the trade area served by the center. The two main configurations of shopping centers are malls and open-air strip centers.

**19.08.750 Shrub.**

“Shrub” means a woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.

**19.08.755 Sign.**

“Sign” means any letters, figures, design, symbol, trademark or device intended to attract attention to any activity, service, place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever. Sources of light used primarily to illuminate a sign, or a building, or ground surrounding the building, shall not be considered signs themselves; provided, however, that sources of light used primarily to attract attention to the sign itself or as a decorative feature of the display shall be considered as part of the sign. Lighted canopies, with the exception of the signed portion, shall not be considered signs themselves. Excluded from the definition are official traffic signs or signals, sheriff’s notices, court notices or official public notices and the flag of a government or noncommercial institution, and signs not visible from the street or sidewalk.

**19.08.760 Sign, abandoned.**

“Abandoned sign” means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

**19.08.765 Sign, area or surface area.**

“Area or surface area of sign” means the greatest area of a sign, on which copy is to be placed, enclosed within not more than three circles, rectangles or squares, or any combination of these forms which produces the smallest area. Sign structure, architectural embellishments, framework and decorative features which contain no written or advertising copy and are not internally lighted shall not be included.

**19.08.770 Sign, billboard.**

“Billboard sign” means an outdoor advertising sign containing a message, commercial or otherwise, unrelated to any use or activity on the property on which the sign is located, but not including directional signs as defined herein.

**19.08.775 Sign, building-mounted.**

“Building-mounted sign” means a single- or multiple-faced sign attached to the face of a building or marquee.

**19.08.780 Sign, canopy.**

“Canopy sign” means any sign erected upon, against or directly above a canopy.

**19.08.785 Sign, construction.**

“Construction sign” means an information sign which identifies the architect, engineers, contractors and other individuals, or firms involved with the construction of a building, or announcing the character of the building or enterprise, which is erected during the building construction period.

**19.08.790 Sign, freestanding.**

“Freestanding sign” means a single- or multiple-faced sign supported from the ground by one or more columns, uprights or braces.

**19.08.795 Sign, grade.**

“Grade (sign)” means the elevation or level of the street closest to the sign to which reference is made, as measured at the street’s centerline, or the relative ground level in the immediate vicinity of the sign.

**19.08.800 Sign, height of.**

“Height of sign” means the vertical distance from the grade to the highest point of a sign or any vertical projection thereof, including its supporting columns, or the vertical distance from the relative ground level within five feet of the sign.

**19.08.805 Sign, incidental.**

“Incidental sign” means a single- or double-faced sign not exceeding two square feet in surface area of a noncommercial nature, intended primarily for the convenience of the public. Included are signs designating rest rooms, address numbers, hours of operation, public telephone, etc. Also included are signs designed to guide pedestrian or vehicular traffic to an area or place on the premises of a business, building or development, as well as building directories with the letters not to exceed four inches in height.

**19.08.810 Sign, low-profile.**

“Low-profile sign” means a freestanding sign not exceeding six feet in height measured from the finished grade to the top of the sign and not exceeding 32 square feet in area.

**19.08.815 Sign, noncommercial public service.**

“Noncommercial public service sign” means noncommercial signs devoted to religious, charitable, cultural, governmental or educational messages, including, but not limited to, the advertising of events sponsored by a governmental agency, a school, church, civic or fraternal organization or other organizations engaged in activities for profit.

**19.08.820 Sign, political.**

“Political sign” means signs advertising a candidate or candidates for public elective office, or a political party, or signs urging a particular vote on a public issue decided by ballot.

**19.08.825 Sign or signs, primary.**

“Primary sign or signs” means all signs, including freestanding signs, of a user which are not exempt or which do not come within the category of incidental signs. The term “primary sign” is intended to include virtually all signs of a commercial nature.

**19.08.830 Sign, projection.**

“Projection sign” means a projecting sign with no exposed legs or braces, designed to look as though it could have been part of the building structure rather than something suspended from the building.

**19.08.835 Sign, reader board.**

“Reader board sign” means a sign or part of a sign on which the letters are readily replaceable such that the copy can be changed from time to time at will.

**19.08.840 Sign, roof.**

“Roof sign” means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building, including a sign affixed to any structure erected upon a roof, including a structure housing building equipment.

**19.08.845 Signs, subdivision.**

“Subdivision signs” means signs used to identify a land development which is to be or was accomplished at essentially one time.

**19.08.850 Signs, temporary and special.**

“Temporary and special signs” means signs of a temporary or special nature and are limited to construction signs, grand opening displays, real estate signs, open house signs, residential land subdivision signs and subdivision directional signs.

**19.08.855 Sign, window.**

“Window sign” means all signs located inside and affixed to or within three feet of windows of a building, whether temporary or permanent, except lighted signs of a commercial advertisement nature which may be viewed from the exterior of the building. The term does not include merchandise located within three feet of a window. Lighted window signs shall be included in determining the number of primary signs and in determining the permissible sign area for each facade. Does not include incidental signs.

**19.08.860 Skilled nursing facility.**

“Skilled nursing facility” means an institution or a distinct part of an institution that is licensed to provide health care under medical supervision for 24 or more consecutive hours to two or more patients who are not related to the governing authority or its members by marriage, blood or adoption.

**19.08.865 Solid planting.**

“Solid planting” means a planting of evergreen trees and shrubs which will prevent a through and unobscured penetration of sight or light.

**19.08.870 Sorority.**

See OHMC [19.08.315](#), Fraternity, sorority or student cooperative.

**19.08.875 Story.**

“Story” means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of the building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused underfloor space is more than six feet above grade (which is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five feet from the building, between the building and a line five feet from the building) for more than 50 percent of the total perimeter or is more than 12 feet above grade, as defined in this section, at any point, such basement, cellar or unused underfloor space shall be considered as a story.

**19.08.880 Street.**

“Street” means an officially approved public thoroughfare or right-of-way dedicated, deeded or condemned, which has been officially approved by a governmental agency for use as such, other than an alley, which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare, except as excluded in this code. The word “street” shall include all arterial highways, freeways, traffic collector streets and local streets.

**19.08.885 Structure.**

“Structure” means a combination of materials constructed and erected permanently on the ground or attached to something having a permanent location on the ground. Not included are residential fences less than six feet in height, retaining walls, rockeries and similar improvements of a minor character less than three feet in height.

**19.08.890 Structural alteration.**

“Structural alteration” means any change in load or stress of the loaded or stressed members of a building or structure.

**19.08.895 Surface area or facade.**

“Surface area or facade” means the area of that front, side or back elevation, including doors and windows, but excluding any roof area and structures or elevators or air conditioning equipment thereon; provided, that in the case of a roof sign, the surface area or facade shall be the area of that front, side or back immediately beneath the roof, including doors and windows, but excluding the roof area and structures for elevators or air conditioning thereon.

**19.08.896 Temporary.**

“Temporary” means not having or requiring permanent attachment to the ground, or involving structures which have no required permanent attachment to the ground.

**19.08.897 Tree.**

“Tree” shall mean any living woody plant characterized by one main stem or trunk and many branches, and having a diameter of six inches or more measured at three feet above the ground level.

**19.08.898 Tree cluster, grove or stand.**

“Tree cluster, grove or stand” means a group of four or more trees of any species or size, where the leaves and outermost branches touch.

**19.08.899 Tree root zone.**

“Tree root zone” means a circle described by the outermost branches of a tree projected to the ground, also known as dripline.

**19.08.900 Understory.**

“Understory” means trees, shrubs or groundcover growing beneath and shaded by a tree.

**19.08.901 Tree, ornamental.**

“Ornamental tree” means a tree planted primarily for its ornamental value or for screening purposes; tends to be smaller at maturity than a shade tree.

**19.08.905 Tree, shade.**

“Shade tree” means a deciduous tree, rarely an evergreen, planted primarily for its high crown of foliage or overhead canopy.

**19.08.910 Tree, significant.**

“Significant tree” means a healthy evergreen or deciduous tree, 12 inches or more in diameter, measured four feet above existing grade. Alder trees of any diameter are not considered a significant tree.

**19.08.915 Upholstery shop.**

“Upholstery shop” means a business specializing in the recovering of furniture and automobile interiors including springs and padding, and also may include the retail sale of fabric, padding, upholstery tools and other materials used in the upholstery trade.

**19.08.920 Use.**

“Use” means the purpose land or buildings or structures now serve or for which they are occupied, maintained, arranged, designed or intended.

**19.08.925 Use district.**

“Use district” means a portion or portions of Oak Harbor designated on official zoning maps as one or more of the categories listed and described in this title.

**19.08.930 Used car lot.**

“Used car lot” means any place outside a building where two or more automobiles are offered for sale or are displayed.

**19.08.935 Uses, prohibited.**

A “prohibited use” is any use which is not listed in one of the following categories:

- (1) Permitted use for the zone;
- (2) A lawfully granted conditional use;
- (3) A lawfully granted variance;
- (4) A lawfully existing nonconforming use;
- (5) A lawfully permitted home occupation.

**19.08.940 Variance.**

“Variance” means the means by which an adjustment is made in the application of the specific regulations of this title to a particular piece of property, which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same zone or vicinity and which adjustment remedies disparity in privileges. A variance is a form of special exception.

**19.08.945 Vehicular surface area.**

“Vehicular surface area” means an open area where motor vehicles are either stored or driven, including private driveways and private streets, parking lots, rental lots, and rental depots, but it does not include parking buildings, underground parking areas, or areas which are used exclusively as loading areas and service areas.

**19.08.950 Video rental store.**

“Video rental store” means an establishment primarily engaged in the retail rental or lease of videotapes, films, CD-ROMs, laser discs, electronic games, cassettes or other electronic media. Sales of film, videotapes, laser discs, CD-ROMs and electronic merchandise associated with VCRs, video cameras and electronic games are permitted accessory uses.

**19.08.955 Waste, hazardous.**

“Hazardous waste” means all dangerous and extremely hazardous waste as defined in RCW [70.105.010](#)(15), except for moderate risk waste as defined in RCW [70.105.010](#)(17).

**19.08.960 Waste, hazardous – Off-site treatment and storage facility.**

“Hazardous waste off-site treatment and storage facility” means treatment and storage facilities which treat and store hazardous wastes generated on properties other than those on which the off-site facilities are located.

**19.08.965 Waste, hazardous – On-site treatment and storage facility.**

“Hazardous waste on-site treatment and storage facility” means treatment and storage facilities which treat and store hazardous wastes generated on the same property.

**19.08.970 Waste, hazardous – Storage of.**

“Storage of hazardous waste” means the holding of hazardous waste for temporary periods as regulated by the state dangerous waste regulations, Chapter [173-303](#) WAC.

**19.08.975 Waste, hazardous – Treatment of.**

“Treatment of hazardous waste” means the physical, chemical or biological processing of hazardous waste for the purpose of rendering these wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage or reduced in volume as regulated by the state dangerous waste regulations, Chapter [173-303](#) WAC.

**19.08.980 Way open to public.**

“Way open to public” means any paved or unpaved area on private property open to the general public for driving or parking.

**19.08.985 Wireless communications facility, macro.**

“Macro wireless communications facility” means an attached wireless communications facility which consists of antennas equal to or less than 15 feet in height or a parabolic antenna up to one meter (39.37 inches) in diameter and with an area not more than 75 square feet in the aggregate as viewed from any one point.

**19.08.990 Wireless communications facility, micro.**

“Micro wireless communications facility” means an attached wireless communications facility which consists of antennas equal to or less than four feet in height (except omni-directional

antennas which may be up to six feet in height) and with an area of not more than 580 square inches in the aggregate (e.g., one-foot diameter parabola or two-foot by one-and-one-half-foot panel) as viewed from any one point. The permitted antenna height includes the wireless communications facility support structure.

**19.08.995 Wireless communications facility, mini.**

“Mini wireless communications facility” means an attached wireless communications facility which consists of antennas equal to or less than 10 feet in height or a parabolic antenna up to one meter (39.37 inches) in diameter and with an area not more than 50 square feet in the aggregate as viewed from any one point.

**19.08.1000 Wireless communications facility, monopole.**

“Monopole wireless communications facility” means a wireless communications facility which consists of a wireless communications support structure, erected to support wireless communications antennas and connecting appurtenances.

**19.08.1005 Xeriscape.**

“Xeriscape” means a landscaping method which conserves water through the use of drought-tolerant plants and planting techniques.

**19.08.1010 Yard.**

“Yard” means an open space in front, rear or side on the same lot with a building or proposed building.

**19.08.1015 Yard, front.**

“Front yard” means an open space extending from 30 inches above the general ground level at the principal street line to the building line and including the full width of the lot to its side lines.

**19.08.1020 Yard, rear.**

“Rear yard” means an open space extending from 30 inches above the general ground level at the rear lot line to the main building line and including the full width of the lot to its side lines.

**19.08.1025 Yard, service.**

“Service yard” means an open area, usually paved, with access to a street or alley, to allow vehicular access to a building or use for purposes of loading or unloading equipment, freight, livestock or people.

**19.08.1030 Yard, side.**

“Side yard” means an open space extending from 30 inches above the general ground level at the front yard to the rear yard and from the main building line to the side lot line.

**Section Five. Severability.** 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.

**Section Six. Effective Date.** This Ordinance shall be in full force and effect five days after publishing.

PASSED by the City Council this \_\_\_ day of \_\_\_\_\_ 2013.

CITY OF OAK HARBOR

Approved ( ) \_\_\_\_\_  
Vetoed ( ) Scott Dudley, Mayor

\_\_\_\_\_ Date

ATTEST:

Approved as to Form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

Introduction: \_\_\_\_\_

Passed: \_\_\_\_\_

Published: \_\_\_\_\_

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

Bill No. 4.  
Date: March 5, 2013  
Subject: Resolution No. 13-02  
Corporate Political Spending

FROM:  Larry Cort, City Administrator

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

 Scott Dudley, Mayor  
 Doug Merriman, Finance Director  
 Grant Weed, Interim City Attorney, as to form

**PURPOSE**

This agenda bill presents proposed Resolution No. 13-02 as prepared by Councilmember Severns supporting a constitutional amendment to regulate corporate political spending and corporate campaign financing.

**AUTHORITY**

***RCW 35A.11.020***

**Powers vested in legislative bodies of noncharter and charter code cities.**  
The legislative body of each code city shall have power to organize and regulate its internal affairs within the provisions of this title and its charter.

***OHMC 1.16.010 Adoption of optional municipal code.***

There is adopted for the city of Oak Harbor, Washington, the classification of Noncharter Code City, retaining the mayor-council plan of government under which the city of Oak Harbor is presently operated, as provided in Chapter 35A.12 RCW, endowed with all the applicable rights, powers, privileges, duties and obligations of a noncharter code city as the same now exists, or may be provided hereafter, including any and all supplements, amendments or other modifications of said title hereafter at any time enacted.

**FISCAL IMPACT DESCRIPTION**

Funds Required: None anticipated  
Appropriation Source: NA

**SUMMARY STATEMENT**

Over the past several months, a group of local citizens has attended City Council meetings to express their support for a constitutional amendment to regulate the extent to which corporations can contribute to political campaigns. This effort stems from a decision by the Supreme Court of the United States in the *Citizens United* case which, in effect, granted to corporations the same constitutional guarantees that citizens enjoy to make contributions to political campaigns. To date, Island Council, Coupeville and Langley, along with a number of other jurisdictions in Washington and across the nation, have approved resolutions supporting a constitutional amendment to regulate campaign financing by corporations.

RESOLUTION NO. 13-02

A RESOLUTION OF THE CITY OF OAK HARBOR, ISLAND COUNTY, WASHINGTON,  
SUPPORTING A CONSTITUTIONAL AMENDMENT TO REGULATE CORPORATE  
POLITICAL SPENDING AND CORPORATE CAMPAIGN FINANCING

WHEREAS, the City of Oak Harbor seeks to nurture and expand democracy in our community, our state and in our nation, and we believe that free and fair elections are essential to fulfilling the promise of our American democracy and effective self-governance; and

WHEREAS, the City of Oak Harbor believes that the granting of constitutional protections of non-natural corporate “persons” transgresses the rights of living, breathing persons to have their voices heard and that corporations should not have a constitutionally protected right to donate unregulated amounts of money to political campaigns; and

WHEREAS, the City of Oak Harbor holds that corporations are legal entities separate and apart from human beings which can and should be granted specific legal rights by federal, state and local law, but which rights should not extend to the rights of natural living, breathing persons which are enumerated in the Constitution of the United States of America.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF OAK HARBOR, ISLAND COUNTY, WASHINGTON:

The City of Oak Harbor, Washington, hereby calls upon the Washington State Legislature and the United States Congress to initiate steps to amend the United States Constitution with provisions which state clearly as follows:

- (1) Corporations are not human beings, and only human beings are endowed with Constitutional rights;
- (2) Contributions and expenditures for political purposes are not Constitutionally-protected speech. Therefore, the regulation of political contributions and spending is not equivalent to limiting political speech;
- (3) Congress and the States shall have the power to regulate contributions and expenditures for campaigns and ballot measures, and to require public disclosure of the sources of such contributions and expenditures.

PASSED by the City Council of the City of Oak Harbor this 5th day of March 2013.

CITY OF OAK HARBOR

Approved ( )  
Vetoed ( )

\_\_\_\_\_  
Scott Dudley, Mayor  
Date: March 5, 2013

ATTEST:

Approved as to Form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

Date	Subject	Dept
<b>City Council Meeting March 19, 2013</b> Agenda Bills Due 03/07/13 <b>6:00 p.m. Council Chambers</b>		
<b>PRESENTATIONS OF OTHER NON-ACTION COUNCIL ITEMS</b>		
03/19/13	Recognition of Hank Nydam 10 years of Service	
03/19/13		
<b>CONSENT AGENDA</b>		
03/19/13	Vouchers	
03/19/13	Minutes	
03/19/13	Set Public Hearing on 04/02/13 to revise Personnel Code, Management and Mayoral Support Position	
03/19/13	Authorize GeoEngineers, Inc. Contract – North Reservoir Earthquake fault	
03/19/13		
<b>PUBLIC HEARINGS &amp; ORDINANCES/RESOLUTIONS</b>		
03/19/13	Ordinance 1652 Relating to Back Yard Chickens – Second Reading & Adoption	
<b>OTHER BUSINESS</b>		
03/19/13	Resolution 13-07 Relating to the Wellness Program (housekeeping items)	HR
03/19/13	Award Contract for Animal Shelter Services	Police
03/19/13	Appoint City Attorney	HR
03/19/13	Adopt Facilities Plan	PW



Date	Subject	Dept
<b>CONSENT AGENDA (04/16/13 cont.)</b>		
04/16/13		
04/16/13		
<b>PUBLIC HEARINGS &amp; ORDINANCES/RESOLUTIONS</b>		
04/16/13		
04/16/13		
<b>OTHER BUSINESS</b>		
04/16/13		
04/16/13		
<b>City Council Meeting May 7, 2013</b> Agenda Bills Due 04/25/13 <b>6:00 p.m. Council Chambers</b>		
<b>PRESENTATIONS OF OTHER NON-ACTION COUNCIL ITEMS</b>		
05/07/13		
05/07/13		
05/07/13		
<b>CONSENT AGENDA</b>		
05/07/13		
05/07/13		
05/07/13		
05/07/13		

Date	Subject	Dept
<b>PUBLIC HEARINGS &amp; ORDINANCES/RESOLUTIONS (05/07/13, cont.)</b>		
<b>OTHER BUSINESS</b>		

Pending Unscheduled Items		
	Banner Program Guidelines	PW/DS
	Art Purchase by Arts Commission – Spirit of the Islands	Fin/ Admin
	Refunding 2004 W/S Bond	Fin
	Report on Cyber Security	Admin
	Develop a list of acronyms for the City’s website	
	Binding Site Plan Code Amendment: No public hearing for this meeting, introduction only Consent Agenda Ordinance No. 1644	DS
	Contract – Automated Pay Station for Staysail RV Park	
	Council Resolution to authorize submittal of the Wastewater Facility Plan to the Department of Ecology	PW
	Reconcile Youth Commission Code Reference 2.250 & 2.240	
	Amend code to place fees in Resolution form	
	Agreement Renewal - Puget Sound Energy Franchise Agreement	PW Admin Legal
	Authorization to Advertise for Bids - Online Payment Services	Finance
	Council Rule Change – Public Forum – Free Speech	Legal
	Channel 10 Rules	Admin Legal
	Legal Department Restructure	Legal
	Utilities Office, City Council Chambers, Law Department Remodels	Finance, DS
	Decision regarding selection of consultant for preliminary & final design of WWTP	PW

**STANDING COMMITTEES  
and other meetings and activities**

Date	Subject	Dept.
	Marina Committee 7:00 p.m. City Hall	DS
Date TBD	CITY COUNCIL SPECIAL MEETING, Workshop on Recommendations from HDR - System Development Fees	PW and Finance
03/04/13	ARTS COMMISSION, 6:00 p.m., City Hall Conference Room	
03/06/13	City Council Workshop & Open House 6:00 p.m. Elks Club, Wastewater Treatment Facilities Plan	
03/07/13	PUBLIC WORKS STANDING COMMITTEE, 3:30 p.m., City Hall Council Chambers	
03/13/13	FINANCE STANDING COMMITTEE, City Hall Council Chambers 3:30 p.m. <b>TO BE RESCHEDULED</b>	
03/21/13	PUBLIC SAFETY STANDING COMMITTEE, Chambers, 3:30 p.m.	
03/26/13	Planning Commission 7:00 p.m.	
	Contract with Carrolla	PW