



AGENDA

Long Beach City Council Meeting
Regular City Council November 5, 2012 at 7:00 p.m.
Long Beach City Hall - Council Chambers
115 Bolstad Avenue West

BUDGET WORKSHOP AT 5:00 PM

7:00 PM CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

| | |
|---------------|---|
| Call to order | Mayor Andrew, Council Member Linhart, Council Member Maxson, |
| And roll call | Council Member Perez, Council Member Murry, and Council Member Phillips |

CONSENT AGENDA - TAB - A

All matters, which are listed within the consent section of the agenda, have been distributed to each member of the Long Beach City Council for reading and study. Items listed are considered routine by the Council and will be enacted with one motion unless a Council Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

- Minutes, November 5, 2012 Regular City Council meeting.
- Payroll Report for Warrants 52460 – 52507 & 70538 - 70605 for \$171,143.86

PROCLAMATION – FIRST RESPONDER – TAB B

PLEASE REVIEW WS 12-17 FOR COMMUNITY DEVELOPMENT DIRECTOR – TAB C

BUSINESS

- **AB-12-58 – Setting Property Tax Rate for 2013 Collection – TAB – D**

ORAL REPORTS

- | | | | | |
|---|---------------------|--------------|---------------------------|-------------------------|
| • | City Council | Mayor | City Administrator | Department Heads |
|---|---------------------|--------------|---------------------------|-------------------------|

CORRESPONDENCE AND WRITTEN REPORTS – TAB – E

- **Correspondence – Initiative 502 – Thoughts from MRSC**
- **Correspondence – COLPAC letter**
- **Business License – Pacific Coast Cabins LLC; 111 Ocean Beach Blvd S**

FUTURE CITY COUNCIL MEETING SCHEDULE

The Regular City Council meetings are held the 1st and 3rd Monday of each month at 7:00 PM and may be preceded by a workshop commencing at 6:00 PM or 5:30 PM

December 3, 2012 – 7:00 pm – City Council Meeting

December 17, 2012 – 7:00 pm – City Council Meeting

PUBLIC COMMENT

At this time, the Mayor will call for any comments from the public on any subject whether or not it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to five minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

ADJOURNMENT

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421.

A

LONG BEACH CITY COUNCIL MEETING

NOVEMBER 5, 2012

CALL TO ORDER

Mayor pro tem Phillips called the meeting to order at 7:00 p.m. and asked for the Pledge of Allegiance and roll call.

ROLL CALL

Gene Miles, City Administrator, called roll with C. Linhart, C. Maxson, C. Perez and C. Murry present. Mayor Andrew was absent.

CONSENT AGENDA

Minutes, October 15, 2012 Regular City Council meeting

Minutes, October 18 2012 Special City Council meeting

Payroll Report for Warrants 52420-52459 & 70456-70537 for \$233,325.96

C. Linhart made the motion to approve the consent agenda with C. Perez seconding the motion. 4 Ayes 0 Nays, motion passed.

BUSINESS

AB 12-55 Surplus Vehicles

David Glasson, Finance Director, presented the agenda bill explaining there are 3 vehicles to be declared as surplus and the minimum bid for each one has been determined. The equipment would be advertised and bids would be accepted. **C. Linhart made the motion to approve the agenda bill with C. Perez seconding the motion. 4 Ayes 0 Nays, motion passed.**

AB 12-56 2013 Court Contract with Pacific County

David Glasson, Finance Director, presented the agenda bill. He explained with reduction in staff due to a retirement, one way to streamline the operations of city hall would be to move Municipal Court from Long Beach to Pacific County, thus reducing phone calls and customers related to court issues. **C. Linhart made the motion to approve the agenda bill with C. Maxson seconding the motion. 4 Ayes 0 Nays, motion passed.**

AB 12-57 Ordinance 884-A Franchise agreement with LS Networks

Robin Smith, representative of Lightspeed Networks dba LS Networks presented information on the franchise agreement. After some discussion **C. Maxson made the motion to postpone the agenda bill for 2 weeks with C. Perez seconding the motion. 4 Ayes 0 Nays, motion passed.**

ORAL REPORTS

C. Murry, C. Perez, C. Maxson, C. Linhart, Mayor pro tem Phillips, Gene Miles, City Administrator, David Glasson, Chief of LBVFD and Finance Director and LBPD Chief Wright contributed to oral reports.

PUBLIC COMMENT

None

ADJOURNMENT

C. Linhart made the motion to adjourn at 7:35 p.m. with C. Perez seconding the motion. 4 Ayes 0 Nays, motion passed.

Mayor Pro Tem

ATTEST:

City Clerk



Warrant Register

Check Periods: 2012 - November - First

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF LONG BEACH, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

| Number | Name | Print Date | Clearing Date | Amount |
|--------|-----------------------|------------|---------------|------------|
| 52460 | Alves, Sandy L. | 11/5/2012 | 11/6/2012 | \$1,315.63 |
| 52461 | Andrew, Robert E. | 11/5/2012 | 11/6/2012 | \$404.55 |
| 52462 | Binion, Jacob | 11/5/2012 | 11/6/2012 | \$1,297.78 |
| 52463 | Bledsoe, Linda | 11/5/2012 | 11/7/2012 | \$768.09 |
| 52464 | Borchard, Gayle | 11/5/2012 | 11/6/2012 | \$1,761.17 |
| 52465 | Busby, Randy Scott | 11/5/2012 | 11/7/2012 | \$1,834.10 |
| 52466 | Cutting, Jeffrey G. | 11/5/2012 | 11/7/2012 | \$1,914.80 |
| 52467 | Daulton, Alan T | 11/5/2012 | | \$645.52 |
| 52468 | Fitzgerald, Rick E. | 11/5/2012 | 11/6/2012 | \$1,386.57 |
| 52469 | Gilbertson, Bradley K | 11/5/2012 | 11/6/2012 | \$1,172.74 |
| 52470 | Glasson, David R. | 11/5/2012 | 11/6/2012 | \$2,403.85 |
| 52471 | Goulter, John R. | 11/5/2012 | 11/7/2012 | \$1,554.14 |
| 52472 | Gray, Karen | 11/5/2012 | | \$862.48 |
| 52473 | Gray, Rick R. | 11/5/2012 | 11/6/2012 | \$1,629.34 |
| 52474 | Huff, Timothy M. | 11/5/2012 | 11/7/2012 | \$1,476.03 |
| 52475 | Kaino, Kris | 11/5/2012 | | \$1,037.75 |
| 52476 | Kirby, Gary E | 11/5/2012 | 11/5/2012 | \$827.71 |
| 52477 | Kitzman, Michael | 11/5/2012 | 11/5/2012 | \$1,809.20 |
| 52478 | Linhart, Steven P | 11/5/2012 | 11/5/2012 | \$272.95 |
| 52479 | Luehe, Paul J | 11/5/2012 | 11/5/2012 | \$1,362.99 |
| 52480 | Martin, Kevin R | 11/5/2012 | 11/8/2012 | \$2,006.27 |
| 52481 | Maxson, Don W | 11/5/2012 | 11/6/2012 | \$272.95 |
| 52482 | Meling, Casey K | 11/5/2012 | 11/6/2012 | \$1,501.59 |
| 52483 | Miles, Eugene S | 11/5/2012 | 11/5/2012 | \$2,769.98 |
| 52484 | Mortenson, Tim | 11/5/2012 | 11/6/2012 | \$1,923.91 |
| 52485 | Murry, Del R | 11/5/2012 | | \$272.95 |
| 52486 | Myers, Ragan S. | 11/5/2012 | 11/5/2012 | \$1,329.92 |
| 52487 | Ostgaard, Loretta G | 11/5/2012 | 11/5/2012 | \$1,352.85 |
| 52488 | Padgett, Timothy J | 11/5/2012 | 11/7/2012 | \$1,520.03 |

| Number | Name | Print Date | Clearing Date | Amount |
|--------|--------------------------------------|------------|---------------|-------------|
| 52489 | Perez, Arthur Mark | 11/5/2012 | 11/8/2012 | \$272.95 |
| 52490 | Phillips, Gerald S | 11/5/2012 | | \$272.95 |
| 52491 | Russum, Richard | 11/5/2012 | 11/5/2012 | \$1,310.63 |
| 52492 | Stidham, William G | 11/5/2012 | 11/6/2012 | \$1,294.07 |
| 52493 | Turner, Michael S. | 11/5/2012 | 11/7/2012 | \$810.90 |
| 52494 | Warner, Ralph D. | 11/5/2012 | 11/6/2012 | \$1,965.29 |
| 52495 | Wright, Flint R | 11/5/2012 | 11/6/2012 | \$2,241.85 |
| 52496 | Zuern, Donald D. | 11/5/2012 | 11/6/2012 | \$1,921.92 |
| 52497 | AFLAC | 11/5/2012 | | \$439.82 |
| 52498 | Association of WA Cities | 11/5/2012 | | \$14,732.63 |
| 52499 | City of Long Beach - Fica | 11/5/2012 | | \$8,841.40 |
| 52500 | City of Long Beach - FWH | 11/5/2012 | | \$7,858.85 |
| 52501 | Council Gift Fund | 11/5/2012 | | \$60.00 |
| 52502 | Dept of Labor & Industries | 11/5/2012 | | \$1,241.77 |
| 52503 | Dept of Retirement Systems | 11/5/2012 | | \$7,649.02 |
| 52504 | Dept of Retirement Systems Def Comp | 11/5/2012 | | \$1,178.00 |
| 52505 | Hartford Life Insurance | 11/5/2012 | | \$525.00 |
| 52506 | Teamsters Local #58 | 11/5/2012 | | \$184.50 |
| 52507 | United Employee Benefit Trust (UEBT) | 11/5/2012 | | \$5,566.00 |
| 70538 | Glasson, David | 10/31/2012 | 11/6/2012 | \$146.52 |
| 70539 | Tangly Cottage Garden | 11/1/2012 | 11/5/2012 | \$120.00 |
| 70540 | Department of Licensing | 11/5/2012 | | \$18.00 |
| 70541 | Burger, Beverly | 11/5/2012 | | \$1,405.00 |
| 70542 | Yoshimi, Mary | 11/5/2012 | | \$50.00 |
| 70543 | Pacific County Auditor | 11/7/2012 | | \$72.00 |
| 70544 | Midway Printery | 11/7/2012 | 11/8/2012 | \$269.43 |
| 70545 | Refunds | 11/7/2012 | 11/8/2012 | \$75.00 |
| 70546 | BLEWETT, JOSH | 11/8/2012 | | \$150.00 |
| 70547 | SHARKEY, KATIE | 11/9/2012 | | \$51.94 |
| 70548 | Miles, Gene | 11/9/2012 | | \$173.65 |
| 70549 | Active Enterprises, Inc. | 11/15/2012 | | \$19.34 |
| 70550 | Addy Lab, Lic | 11/15/2012 | | \$223.00 |
| 70551 | Airgas Nor Pac | 11/15/2012 | | \$35.56 |
| 70552 | ALS ENVIRONMENTAL | 11/15/2012 | | \$534.00 |
| 70553 | AlSCO-American Linen Div. | 11/15/2012 | | \$103.69 |
| 70554 | ANDERSON, JANET L | 11/15/2012 | | \$462.50 |
| 70555 | Arts Auto Parts Inc. | 11/15/2012 | | \$174.16 |
| 70556 | Astoria Janitor & Paper Supply | 11/15/2012 | | \$1,148.33 |
| 70557 | BEACH BATTERIES | 11/15/2012 | | \$28.63 |
| 70558 | CASCADE MACHINERY & ELECTRIC | 11/15/2012 | | \$1,188.64 |
| 70559 | CenturyLink | 11/15/2012 | | \$466.60 |
| 70560 | Chinook Observer | 11/15/2012 | | \$293.30 |
| 70561 | CHINOOK SALES & RENTALS | 11/15/2012 | | \$192.06 |
| 70562 | Coast Rehabilitation Services | 11/15/2012 | | \$212.00 |
| 70563 | Columbia Steel Supply | 11/15/2012 | | \$686.08 |
| 70564 | Consolidated Technology Services | 11/15/2012 | | \$17.45 |

| Number | Name | Print Date | Clearing Date | Amount |
|--------|---|------------|--------------------|---------------------|
| 70565 | Cottage Bakery | 11/15/2012 | | \$167.10 |
| 70566 | CURRAN-MCLEOD, INC | 11/15/2012 | | \$14,836.00 |
| 70567 | DAVIS WRIGHT TREMAINE LLP | 11/15/2012 | | \$11,930.25 |
| 70568 | Dennis Company | 11/15/2012 | | \$1,052.00 |
| 70569 | DEPARTMENT OF ENTERPRISE SERVICES | 11/15/2012 | | \$1,200.00 |
| 70570 | Dept. of Ecology | 11/15/2012 | | \$180.00 |
| 70571 | Englund Marine Supply | 11/15/2012 | | \$651.64 |
| 70572 | Evergreen Septic Service | 11/15/2012 | | \$943.25 |
| 70573 | Ferguson Enterprises, Inc #3001 | 11/15/2012 | | \$388.94 |
| 70574 | Ford Electric | 11/15/2012 | | \$115.07 |
| 70575 | Galls, AN Aramark Co. | 11/15/2012 | | \$977.50 |
| 70576 | H. D. FOWLER | 11/15/2012 | | \$1,005.82 |
| 70577 | Hach Company | 11/15/2012 | | \$363.39 |
| 70578 | Iwaco High School | 11/15/2012 | | \$60.00 |
| 70579 | Lindstrom Construction | 11/15/2012 | | \$1,655.81 |
| 70580 | Naselle Rock & Asphalt | 11/15/2012 | | \$1,350.00 |
| 70581 | Office of State Treasurer | 11/15/2012 | | \$1,074.79 |
| 70582 | Oman & Son Builders | 11/15/2012 | | \$1,178.57 |
| 70583 | One Call Concepts, Inc. | 11/15/2012 | | \$13.20 |
| 70584 | Pacific County Economic Development Council | 11/15/2012 | | \$25.00 |
| 70585 | Pacific County Prosecutor | 11/15/2012 | | \$17.83 |
| 70586 | Pacific County Sheriff's | 11/15/2012 | | \$665.00 |
| 70587 | Peninsula Sanitation | 11/15/2012 | | \$894.50 |
| 70588 | Peninsula Visitors Bureau | 11/15/2012 | | \$8,125.00 |
| 70589 | Powell, Seiler & Co., P.S | 11/15/2012 | | \$90.00 |
| 70590 | Quill Corporation | 11/15/2012 | | \$224.07 |
| 70591 | Sid's Iga | 11/15/2012 | | \$64.16 |
| 70592 | State Auditor's Office | 11/15/2012 | | \$2,733.80 |
| 70593 | SUNSET AUTO PARTS, INC | 11/15/2012 | | \$913.33 |
| 70594 | Taft Plumbing | 11/15/2012 | | \$453.06 |
| 70595 | THE STEEL YARD, INC | 11/15/2012 | | \$1,884.23 |
| 70596 | Total Battery & Auto | 11/15/2012 | | \$819.42 |
| 70597 | U S Fire Equipment, Llc | 11/15/2012 | | \$61.52 |
| 70598 | U.S Cellular | 11/15/2012 | | \$282.16 |
| 70599 | Visa | 11/15/2012 | | \$1,262.15 |
| 70600 | Wadsworth Electric | 11/15/2012 | | \$547.42 |
| 70601 | Whitney Equipment Co. Inc | 11/15/2012 | | \$1,835.35 |
| 70602 | Wilcox & Flegel | 11/15/2012 | | \$2,463.10 |
| 70603 | Wilcox & Flegel Oil Co. | 11/15/2012 | | \$95.00 |
| 70604 | Yoshimi, Mary | 11/15/2012 | | \$479.55 |
| 70605 | Zep Manufacturing CO | 11/15/2012 | | \$171,143.86 |
| | | | Total | \$171,143.86 |
| | | | Check | \$171,143.86 |
| | | | Grand Total | \$171,143.86 |

B

The City of Long Beach, WA.

Proclamation

Whereas, access to 1st Responders greatly enhances the health, safety, and welfare of the citizens of the Long Beach Peninsula; and

Whereas, 1st Responders, including Law Enforcement, Fire and Rescue, and Emergency Medical Services, put their own personal safety at risk to serve, protect, and provide lifesaving care to the Citizens of our community and surrounding area: and

Whereas, many Long Beach Peninsula 1st Responders are volunteers; and

Whereas, 1st Responders, both career and volunteer, engage in thousands of hours of specialized training and continued education to enhance their lifesaving skills; and

Whereas, through extended services, community outreach and public awareness education, Long Beach Peninsula residents benefit daily from the specialized knowledge and skills provided by 1st Responders;

Now, Therefore, I, Robert Andrew, Mayor of Long Beach, Washington., do hereby proclaim November 30th, 2012, as

1st Responders Day of Appreciation

In Long Beach, Washington and I urge all citizens to join me in this special observance by showing a First Responder that you care.

Signed this 19th day of November, 2012

Mayor of Long Beach, WA
Robert (Bob) Andrew

C



**CITY COUNCIL
WORKSHOP BILL
WS 12-17**

Meeting Date: November 19, 2012

| AGENDA ITEM INFORMATION | | |
|---|-----------------------------------|----|
| SUBJECT: 2012 Amendments to Land Use Codes (continuation) | <i>Originator:</i> | |
| | Mayor | |
| | City Council | |
| | City Administrator | |
| | City Attorney | |
| | City Clerk | |
| | City Engineer | |
| | Community Development Director | GB |
| | Finance Director | |
| | Fire Chief | |
| | Police Chief | |
| | Streets/Parks/Drainage Supervisor | |
| | Water/Wastewater Supervisor | |
| Other: | | |
| COST: N/A | | |
| <p>SUMMARY STATEMENT: Continuation of last workshop on this matter. There are a few State-required additional amendments to the Building code. In all other areas, all comments to date are incorporated: Council, Planning Commission, public, and staff. The goal tonight is to finalize the amendments so they can go to Washington State for a 60-day review. We would then conduct a public hearing after the proposed amendments come back from the State - sometime in January or early February.</p> | | |

City of Long Beach
Department of Community Development

Memo

To: Long Beach City Council
From: Gayle Borchard 
CC: file
Date: November 7, 2012
Re: 2012 Land Use Code Text Amendments

Councilors,

Attached please find the revised draft 2012 Land Use code amendments. These include all comments to date: those from the Council, additional comments from Councilmember Perez, Planning Commission, a few from the public, and of course, staff. I have made an effort to indicate who made comments or changes:

- Original textual changes as well as comments/revisions by Council/staff are displayed in red underlined font;
- Comments by C. Perez are displayed in ALL CAPS RED BOLD AND UNDERLINED FONT;
- Planning Commission/staff comments/revisions are displayed in red underlined and highlighted font; and
- Comments/revisions by citizens are displayed in red underlined and italics font.

That packet is 32 pages in length, but the changes are easy to identify. If I couldn't address a comment via a text revision, I attempted to directly respond to it.

The big question remains whether or not you want to require sprinklers in 1 and 2 family residences. In the last Council packet, I provided the results of a search done by MRSC on our behalf regarding this issue. Since the matter is still under consideration, I have enclosed it again. It appears that NO Washington city requires this unless an exceptional circumstance occurs or a threshold of some sort is triggered, including

- a gross square footage of 5,000 SF or more in Kirkland or Issaquah,
- apartment buildings in Black Diamond DuPont, and usually in Shoreline,
- exceptionally large homes of >6,250 SF or a fire response time of greater than 4 minutes (professional, full-time fire department) in Port Angeles. For these latter

two cases, Port Angeles allows either sprinklers or an alarmed smoke detection system.

Please make sure you either fully understand or have questions ready for me about the windmill, solar, and drainage plan issues.

Also, since we last discussed these land use code amendments, I have been directed by the Department of Ecology to make a few minor revisions to the flood damage prevention chapter of the Building Regulations. While the timing is bad, I thought we'd go ahead and address those at this time as well, so they are attached separately.

Please don't hesitate to contact me before the meeting if you have any questions or would like a clarification. [phone: 360.642.4217 or planner@longbeachwa.gov] The next step is to put these proposed amendments out for public review, then hold a hearing and take public comment.

Fax: (206) 625-1220

Email: bkatsuyama@mrsc.org



-----Original Message-----

From: Receptionist

Sent: Thursday, October 11, 2012 3:25 PM

To: Bob Meinig

Subject: Research Request

This research request has already been added to your inquiry log. DO NOT create a new inquiry for this request.

Name: Gayle

Title: Borchard

Phone: 360 642-4217

Email: planner@longbeachwa.gov

Which, if any, cities on Washington have adopted R313.2 of the International Residential code requiring fire sprinkler systems in new 1 and 2 family residences? Thanks much, Gayle

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2013.0.2741 / Virus Database: 2614/5835 - Release Date: 10/16/12

Gayle Borchard

From: Byron Katsuyama <bkatsuyama@mrsc.org>
Sent: Wednesday, October 17, 2012 3:16 PM
To: planner@longbeachwa.gov
Subject: MRSC Research Request

Gayle,

A [combined code search](#) of all of the municipal codes in MRSC's system (approximately 190 city codes) using the key word "R313.2" that any adopting entity would almost certainly have to cite did not turn up any references to cities that have adopted this provision of the International Residential Code. There were a couple of references by cities stating that they specifically were not adopting this provision.

We note also that when the state adopted the 2009 edition of the International Residential Code, it specifically did not adopt "Section R313 -- Automatic fire sprinkler systems" (See [WAC 51-51-0313](#)).

In response to an inquiry we received in 2008 asking which cities require or otherwise encourage sprinklers for fire protection in single family homes, we found the following examples of cities that require sprinklers for very large residential structures, where fire flows are below a certain threshold, or where response times are above a certain threshold:

Kirkland:

Kirkland Municipal Code, [Sec.23.33.040\(b\)](#):

All Occupancies. An automatic sprinkler system shall be installed in the following buildings or structures:

(1) In all newly constructed buildings with a gross floor area of five thousand or greater square feet, regardless of type or use, as well as zero lot line townhouses with an aggregate area of all connected townhouses five thousand square feet or greater;

Black Diamond:

Black Diamond Municipal Code, Sec. 15.10.040:

Fire sprinkler systems shall be installed:

A. In all Group R Division 3 occupancies exceeding two thousand five hundred square feet gross floor area (including attached garages) without adequate fire flow (five hundred gallons per minute);

B. In all R-3 occupancies without approved fire department access as defined in Article 10, Division II of the Uniform Fire Code.

In response to that same inquiry, we also placed a request for information on this topic on the Washington Association of Building Officials (WABO) listserv and received the following responses:

Port Angeles:

If i understand what you're asking, it is regarding one family dwellings only?

If so, we have a 6250 sf. threshold that the Fire Chief has written in the municipal ordinance. Also we have a 4 minute response time and that is located on our city map. Any residential construction(in a new subdivision) outside that 4 minute area is required to have a sprinkler with an alarm bell attached to the system. If you are on a city platted lot outside the four minute response you have two options. 1- a sprinkler or 2- an alarm bell attached to the smoke detectors.

- 1 - have all you smoke detectors checked regular and working properly.
- 2- have an escape plan and meeting place.
- 3- keep you doors closed in all rooms to minimize smoke damage.
- 4- buy a few extinguishers for the house.

Jim Lierly
Building Official
City of Port Angeles
360-417-4816
jlierly@cityofpa.us

Du Pont:

The City of DuPont, WA requires sprinklers of R-3 (13D multipurpose systems).

William Anderson
Building Official
P. (253) 912-5382 / F. (253) 964-1455
banderson@ci.dupont.wa.us

Shoreline:

The City of Shoreline requires sprinkler systems in R-3's of 4,800 square feet or more. Sprinklers are also required for R-3's to mitigate available fire flows below 1000 gpm, except for dwellings under 2,500 square feet (including attached garages).

Ray Allshouse rallshouse@ci.shoreline.wa.us

Issaquah:

All buildings over 5000s.f. including R-3.
Tom Reithner TomR@ci.issaquah.wa.us

I have asked WABO staff again if they have any more current information on this topic and will forward anything they can provide as soon as I hear from them.

I hope this information will be of assistance.

Byron Katsuyama
Public Policy & Management Consultant

Municipal Research & Services Center
601 - Fourth Ave, Suite 800
Seattle, WA 98121-1280
Phone: (206) 625-1300

First Revised Draft: 2012 Land Use Codes Amendments

Revised: November 6~~October 9~~, 2012: Council/staff (WITH ADDITIONAL COMMENTS BY COUNCILMEMBER PEREZ), Commission/staff, Citizen comments

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1 **1. BUILDING CODE; DO NOT ADOPT THE 2009 INTERNATIONAL**
2 **RESIDENTIAL CODE REQUIREMENT FOR SPRINKLER SYSTEMS IN ONE- AND**
3 **TWO-FAMILY DWELLINGS. (Section 10-2-1)**

4 There is language in the International Residential code requiring sprinkler systems in one and
5 two family residential homes. Both the Building Inspector and the Community Development
6 Director feel that while this requirement would likely save homes and possibly lives, it may also
7 substantially increase the cost of a home. The Fire Chief, whose mandate is very different than
8 the Inspector's and Director's should be consulted on this matter. Staff has provided some
9 background data for Council review on this topic.

10
11
12 **10-2-1: BUILDING CODES ADOPTED; SPECIFIC SECTIONS NOT ADOPTED:** The
13 model codes listed below, **as approved and adopted by the State Building Code Council** **except as**
14 **noted**, together with any amendments or additions, are hereby adopted by this reference. These
15 codes must apply to all new construction, remodeling, or repairs. Copies of the codes are on file
16 for inspection in the office of the building department of the city.

- 17
18 A. International building code ~~2009~~ **2006**;
- 19
20 B. International mechanical code ~~2009~~ **2006**;
- 21
22 C. International residential code ~~2009~~**2006**;
- 23 ~~1. The City does not adopt section R313.2: One and two family dwellings automatic~~
24 ~~fire systems.~~
- 25 ~~2. The City does not adopt sub-section R313.2.1: Design and installation [of residential~~
26 ~~sprinkler systems].~~
- 27 **[Long Beach Planning Commission recommends keeping this text and not requiring**
28 **sprinkler systems in 1 and 2-family residences.]**
- 29 **[C. PEREZ: CONTRAST WITH DRAINAGE CODE WHICH HAS OWNEROUS**
30 **REQUIREMENTS FOR SPECIFICATIONS.]**
- 31
32 D. Uniform ~~International~~ plumbing code ~~2009~~ **2006**;
- 33
34 E. Uniform swimming pool, spa, and hot tub code 2006;
- 35
36 F. Uniform code for the abatement of dangerous buildings 1997;
- 37
38 G. International property maintenance code 2009, adopted by the City independently of the
39 Washington State Building Codes Council;
- 40
41 H. Washington state barrier free regulations;
- 42
43 I. Washington state electrical code;
- 44

- 1 J. Washington state energy code 2009;
- 2
- 3 K. Washington state historic building code; and
- 4
- 5 L. Washington state ventilation and indoor air quality code.
- 6
- 7

8 **10-2-2: FIRE CODE:**

9

10 A. International Fire Code Adopted: The 2009 2006 international fire code is hereby adopted

11 in its entirety for the purpose of describing regulations governing conditions hazardous to

12 life and property, fire, or explosion.

13 ~~1. The City does not adopt section 903.2.8: Group R requiring automatic sprinkler~~

14 ~~systems in all residential dwellings in its entirety. The City does not require such~~

15 ~~systems in single and two family dwellings.~~

16 **[The Long Beach Planning Commission recommends restoring this text.]**

17 B. Applicability:

18

19 1. The provisions of this section shall apply to all commercial buildings constructed or

20 developed within the city limits, when the buildings will be served by water mains and

21 fire hydrants capable of delivering the required fire flow and installed as required by this

22 section, unless specifically exempted by this section, or unless waived or modified by the

23 fire marshal.

24

25 2. Decisions of the fire marshal are deemed to be made in the best interest of, and with

26 the concurrence of, an affected fire district in the absence of any credible evidence to the

27 contrary.

28

1 **2. UNIFIED DEVELOPMENT; REVISE “APPEAL HEARING” TO “APPEAL**
2 **PROCEEDING” (Section 11-2C-14)**

3
4 A closed record appeal is not a public hearing with notice requirements, etc. as it is portrayed in
5 our code. Rather, it is closed record proceeding. Only one open record hearing may be conducted
6 per action. Only if no open record appeal hearing was held on a decision (that is, it was an
7 administrative decision) could an open record appeal hearing be held. That would be a very rare
8 occurrence. Staff recommends the following language changes to correct our code.
9

10
11 **11-2C-14: APPEALS:**

- 12
13 C. Time Limit; Report: Within ninety (90) days of the filing of an appeal under this section,
14 the appeal **proceeding hearing** body shall adopt a single report declaring its decision on
15 the appeal. The report shall be provided to the applicant, the appellant, and to any person
16 who, prior to the adoption of the report, requested notice of the decision. The ninety (90)
17 day time period may be extended upon mutual agreement of all parties to the appeal.
18
19 H. Closed Record Appeal **Proceedings Hearings**: All appeal **proceedings hearings** where an
20 open record pre-decision hearing was held on the project permit shall be conducted as a
21 closed record appeal **proceeding hearing** whereby the appeal is heard by the **proceeding**
22 **hearing** body on the permit decision record as reported in the official file (see 11-2C-15)
23 and no new evidence or testimony is allowed.
24

1 **3. ZONING and UNIFIED DEVELOPMENT; LEGAL DEFINITIONS (Sections 12-2-1 and**
2 **11-2)**

3 Several important legal terms are not included in the City code, both Title 12 (zoning) and Title 11
4 (Unified Development) and should be. They are identified below.

5

6

7 **12-2-1: TERMS DEFINED and 11-1-7(D): INTERPRETATION:**

8 **AGGREIVED PARTY:** An individual whose legal rights have been violated or whose financial
9 interests have been directly affected by a City decision.

10 ~~**APPEAL:** Process by which an aggrieved party may seek redress.~~

11 **APPEAL:** A challenge of a City decision by a party of record. Decisions by the City
12 Administrator, Community Development Director, or Planning Commission are appealable to
13 the Hearing Examiner; decisions by the Hearing Examiner are appealable to the City Council;
14 decisions by the City Council are appealable to the Pacific County Superior Court.

15 **PARTY OF RECORD:** Those who request to be kept informed regarding a City action or those who
16 provide written original comments (but not form letters or petitions) or who testify at a public hearing on
17 a City action. Being a Party of Record entitles a person to appeal a City decision.

18

1 4. ZONING; REVISE DEFINITION OF ITINERANT LODGING AND ADD DEFINITION
2 OF SHORT-TERM LODGING (Section 12-2-1)

3 Staff recommends a bit of clarification for one this definition and addition of another.

5
6 12-2-1: TERMS DEFINED:

7
8 **ITINERANT LODGING:** A hotel, motel or other facility engaged in the ~~sale~~, rental or
9 provision of lodging facilities for periods of thirty (30) days or less. Also refers to the actual
10 facility for rent, including and not limited to bed and breakfast rooms, condominium hotel units,
11 hotel rooms, motel rooms, RV spaces, camping spaces, time-share units, and vacation rentals.
12 All itinerant lodging is subject to the city's lodging tax, as required by Chapter 6 of Title 3,
13 Finances and Taxation, of this Code. See also "Bed and Breakfast," "Condominium Hotel,"
14 "Hotel," "Motel," "Time-Share" and "Vacation Rental." Contrast to "Long-term Lodging."

15
16 **[GB: The Planning Commission agrees that camping sites should be included.]**
17

18 **LONG TERM LODGING:** A facility engaged in the rental or provision of lodging facilities for periods
19 of thirty one (31) days or more. Also refers to the actual facility for rent, ~~including and not limited~~
20 ~~to bed and breakfast rooms, condominium hotel units, hotel rooms, motel rooms, RV spaces,~~
21 ~~time share units, and vacation rentals. All long term lodging is subject to the city's lodging tax,~~
22 ~~as required by Chapter 6 of Title 3, Finances and Taxation, of this Code. Contrast to "Itinerant~~
23 ~~Lodging."~~
24
25

1 **5. ZONING; ADD DEFINITIONS OF “MAINTENANCE” AND “REPAIR” (Section 12-2-1)**

2 Staff recommends these frequently used words and terms be defined in the code.

3



4

5 **12-2-1: TERMS DEFINED:**

6 **MAINTENANCE AND REPAIR:** Regarding exterior building changes, the replacement of fifty percent
7 (50%) or less of an exterior wall **in a calendar year**. Maintenance and repair is not subject to the design
8 review process. Contrast to “Alteration.”

9 **ALTERATION:** Regarding exterior building changes, the replacement of fifty one (51%) or more
10 of an exterior wall. Alteration is subject to the design review process. Contrast to “Maintenance and
11 Repair.” ~~Any change, rearrangement, reduction, diminution or modification of an existing~~
12 ~~building, structure or site that does not result in an increase in the building envelope or floor~~
13 ~~area.~~ See also “Structural Alteration.”

14

1 **6. ZONING; REVISE DEFINITION OF DWELLING UNIT, ELIMINATE DEFINITION OF**
2 **HOUSING UNIT, REPLACE HOUSING UNIT THROUGHOUT WITH DWELLING UNIT**
3 **(Sections 12-2-1, 12-5E-4, 12-5F-4, 12-7A-4, 12-8B-4, and 12-10A-1)**

4 It is staff's observation that the code is confused on the definition of and use of the key terms "dwelling
5 unit" and "housing unit." Staff recommends that "housing unit" be eliminated, and that "dwelling unit" be
6 better defined and consistently replace "housing unit" throughout.

8
9 **12-2-1: TERMS DEFINED:**

10 Any term not herein defined shall have its customary or commonly accepted meaning.

11
12
13 **DWELLING:** A building or a portion of a building designed exclusively for residential
14 purposes, ~~including encompassing~~ one-family, two-family and multiple-family ~~dwelling~~
15 ~~dwelling units~~, but not including hotels or motel units having no kitchens. A dwelling may be
16 site built or factory built.

17
18 **DWELLING UNIT:** A house, an apartment, a mobile home, a group of rooms, or a single
19 room, with cooking, ~~sleeping, facilities~~ and sanitary facilities, ~~that is~~ occupied as separate living
20 quarters ~~for exclusive use by a single family maintaining a household. A dwelling unit may be~~
21 ~~site built or factory built.~~

22
23
24 **DWELLINGS, TYPES OF:**

25
26 **[C. PEREZ: WHAT ARE THE SUGGESTIONS FROM THE PC? GB: Please see below in**
27 **yellow.]**

28
29 **Attached Dwelling:** ~~The building encompassing a~~ **A** one-family dwelling unit with
30 ground-floor outside access, that shares common walls with, and is connected to, two (2)
31 or more one-family dwelling ~~units~~, but without openings or interior connections between
32 the separate ~~dwelling~~ units. An attached dwelling could also be described as a townhouse.

33
34 **Detached Dwelling:** A dwelling ~~unit~~ that is not attached to any other dwelling ~~by any~~
35 ~~means. and does not have any roof, wall or floor in common with any other dwelling unit.~~

36
37 **Group Dwelling:** Two (2) or more single family dwellings on a single property, each
38 containing not more than one thousand two hundred (1,200) square feet of living area. A
39 group dwelling development may also be referred to as a cottage development, and is
40 distinguished by shared open space within the project. It may include a shared
41 community building and accessory uses as amenities. Individual ~~dwelling~~ units may be
42 condominiums, but the owner of each ~~dwelling~~ unit does not individually own the land
43 on which the unit is situated and the open space and community building are owned in
44 common by all owners.

1 **Multi-Family Dwelling:** A building ~~containing designed exclusively for occupancy by~~
2 three (3) or more ~~dwelling units families living independently of each other, and~~
3 ~~containing three (3) or more housing units separated by common walls.~~ A "group home"
4 is not a "multi-family dwelling".

5
6 **Seasonal Dwelling:** A ~~residential building dwelling unit~~ that is not used as a principal
7 residence and may be occupied weekends and for other periods during the year. In Long
8 Beach many "summer homes" are seasonal dwellings.

9
10 **Semi-Detached Dwelling:** A ~~residential; building dwelling unit~~ with ground floor
11 outside access that shares a common wall, without openings, to another single-family
12 dwelling, but without openings or interior connections between the units. Each unit is
13 located on a separate lot.

14
15 **Single-Family Dwelling:** A detached building designed exclusively for occupancy by
16 one family and containing one ~~dwelling housing~~ unit.

17
18 **Two-Family Dwelling or Duplex:** A building designed exclusively for occupancy by
19 two (2) families living independently of each other, having a common wall, floor or roof,
20 and containing two (2) ~~dwelling housing~~ units.

21
22 **FAMILY:** An individual, or two (2) or more persons related by blood or marriage, or domestic
23 partners, or a group of not more than five (5) persons who are not related by blood or marriage,
24 living together in a ~~dwelling housing~~ unit.

25 **[GB: Planning Commission suggests 6 unrelated persons C. PEREZ: RAISE TO 6 AND**
26 **ADD EXCEPTIONS SUBJECT TO COUNCIL APPROVAL? (ADOPTIONS)]**

27
28 ~~**HOUSING UNIT:** A house (whether site built or manufactured), an apartment, a mobile home,~~
29 ~~a group of rooms, or a single room, with cooking facilities and sanitary facilities, that is occupied~~
30 ~~as separate living quarters.~~

31 **MULTI-FAMILY:** A building or lot with three (3) or more ~~dwelling housing~~ units.

32
33 **12-5E-4: STANDARDS:**

34
35 A. Lots:

36
37 1. Lot Size: A minimum of three thousand (3,000) square feet shall be provided for each
38 dwelling unit. For Affordable Housing that meets the requirements of chapter 11, section
39 18 of this title, the total number of allowed ~~dwelling housing~~ units on a lot may be
40 increased up to fifty percent (50%). On lots platted prior to the effective date hereof, with
41 less than three thousand (3,000) square feet, construction will be permitted for one single-
42 family home where total lot coverage does not exceed sixty percent (60%) and where all
43 setback requirements can be met.

44
45 **12-5F-4: STANDARDS:**

1 A. Lots:

2
3 1. Lot Size: A minimum of three thousand (3,000) square feet shall be provided for each
4 dwelling unit. For Affordable Housing that meets the requirements of chapter 11, section
5 18 of this title, the total number of allowed dwelling housing units on a lot may be
6 increased up to fifty percent (50%). On lots platted prior to the effective date hereof, with
7 less than three thousand (3,000) square feet, construction will be permitted for one single-
8 family home where total lot coverage does not exceed sixty percent (60%) and where all
9 setback requirements can be met.
10

11 **12-7A-4: STANDARDS:**

12
13 G. Residential Densities:

- 14
15 a. The minimum lot area for each dwelling unit shall be three thousand (3,000) square
16 feet
17
18 b. For Affordable Housing that meets the requirements of chapter 11, section 18 of this
19 title, the total number of allowed dwelling housing units on a lot may be increased up to
20 fifty percent (50%).
21

22 **12-8B-4: STANDARDS:**

23
24 A. Lots :

25 1. Lot Size:

- 26
27 a. The minimum lot size for a single-family dwelling housing unit shall be ten
28 thousand (10,000) square feet.
29
30 b. The minimum lot size for multi-family dwelling housing units shall be ten
31 thousand (10,000) square feet for the first dwelling housing unit, plus two thousand
32 (2,000) square feet for each additional dwelling housing unit. Where multiple
33 principal buildings are constructed on a property, there shall be ten thousand (10,000)
34 square feet of lot area for the first of each subsequent four (4) units, or fraction
35 thereof.

36 H. Density: The maximum number of dwelling housing units allowed per building is four
37 (4). More than one two-family and/or multi-family structure may be placed on a lot.
38 Multiple single-family residences are only permitted as group dwellings.
39

40 **12-10A-1: OT, OTW, RC, AC, S3, S3R, S3M, C1 AND C2 DISTRICTS:**

41
42 B. Design Requirements: The following design features are required:

43
44 16. In C1 Zone Only: Single-family dwelling housing units shall be designed and sited to
45 accommodate their future conversion to nonresidential use.
46
47

1 7. ZONING; REGULATION OF “PINS” OR “FEATHERS” UNDER THE SIGN CODE
2 (Section 12-2-2 and new Section 12-14A-19)

3 With the proliferation of pins this summer, staff recommends that regulation of these pins be part of the
4 code. We recommend each business be allowed two (2) pins per business.

6
7 **12-2-1: TERMS DEFINED**

8
9 **SIGN TYPES AND SIGN DEFINITIONS**
10

11 **Feather:** Also called a “pin”. A vertical, flexible staff or pole affixed to the ground or a
12 structure with cloth or other flexible material attached to its length, a maximum of sixteen
13 feet (16’) tall and three feet (3’) wide. Usually constructed of brightly colored material
14 intended to flutter ion the breeze and draw attention to a business establishment.

15 **Flag:** Any piece of cloth or other flexible material, attached to a staff, pole, or other
16 structure, with distinctive colors, patterns, or symbolic devices, used as a symbol for a
17 government, corporation, or other organization, public or private. **Does not include “pins”**
18 **or “feathers”.**

19
20
21 **12-14-19: FEATHERS OR PINS:**
22

23 Each business with permanent signage installed may also install two (2) feathers or pins as defined in
24 Section 12-2-1, Terms Defined.

25 **A. *Maximum height may be sixteen feet (16’) from grade.***

26 **B. *Maximum width of flexible panel may be three feet (3’).***

27 **C. For lots with more than 50 feet of frontage, one pin for every additional 50 feet is allowed.**
28 **~~maximum of two (2) pins per fifty feet (50’) of frontage shall be allowed.~~**

1 **8. ZONING; VISION CLEARANCE TRIANGLE AND REGULATION OF FREE**
2 **STANDING SIGNS, MINIMUM HEIGHT (Sections 12-2-1, 12-6C-4(A)(3)(d)(i) and (ii), 12-13-**
3 **10(A), 12-14A-18(B)(1))**

4 It is staff's observation in driving around and observing signage that a clearance area of between 42" and
5 10' may be a bit over-restrictive and unnecessary. Staff observes that 42" maximum height is appropriate
6 except where cars are extremely low to the ground. However, the minimum 10-foot height seems
7 excessive, and staff recommends it be revised downward to a minimum of eight feet (8'). Staff's
8 recommended revisions are below.

10
11 **12-2-1: TERMS DEFINED:**

12
13 **VISION CLEARANCE TRIANGLE (VCT):** Area at the corner of an intersection of a right-
14 of-way with another right-of-way, alley or driveway, formed by measuring a specific distance
15 along each right-of-way, alley or driveway from the property corner and connecting the two end
16 points to form a triangle. The vision clearance triangle is maintained clear of landscaping, fences
17 and other obstructions of a certain height, generally the area between forty two inches (42") to
18 ~~eight ten feet (8' 10')~~ above the adjacent street level, which would block the visibility of vehicle,
19 bicycle, or pedestrian traffic.

20 **[GB: City to conduct visual test with fire truck to determine the correct minimum height in**
21 **the VCT]**

22
23 **12-6C-4(A)(3)(d)(i) and (ii) Standards for the RC zone, setbacks, corner lots**

24
25 d. Corner Lots and Multiple Street Frontages: Zero minimum to a maximum of
26 twenty feet (20') along Pacific Avenue; five-foot (5') minimum to Ocean Beach
27 Boulevard; zero minimum to all other street sides.

28
29 i. The ground level of the building, to a height of at least ~~eight ten feet (8' 10')~~
30 but excluding porch columns and railings, shall not be located in a vision
31 clearance triangle, formed by measuring twenty feet (20') along each property
32 line from the intersection of the two streets and connecting the end points of
33 such lines formed by such measurements.

34
35 ii. Porch roofs, balconies, canopies, bays, upper floors and similar features shall
36 be permitted to project into the vision clearance triangle, provided the lowest
37 point of the overhang or projection has a clearance of at least ~~eight ten feet (8'~~
38 ~~10')~~ above the sidewalk grade on Pacific Avenue, if abutting, or the level of
39 the adjacent street for all other frontages.

40
41
42 **12-13-10: VISION CLEARANCE TRIANGLE:** To ensure that landscape materials and fences
43 do not constitute a safety hazard, a vision clearance triangle (VCT) shall be provided at all
44 intersections of public rights-of-way and driveways.

1 A. Height: Within this area, unobstructed cross visibility at a level between forty two inches
2 (42") and ~~eight ten feet (8' 10')~~ above the adjacent street level shall be maintained.
3 However, trees having limbs or foliage trimmed, except during early growth stages, so as
4 to not extend into the sight area, shall be allowed. Landscaping material shall not be
5 located closer than four feet (4') from the edge or top of the curb line or driveway apron,
6 except for required ground cover.
7

8 B. Structures: Freestanding signs are permitted in the VCT only as provided in section 12-
9 14A-18 of this title. This section shall not apply to buildings except where specifically
10 provided for in the development standards of the zone district in which the building is
11 located.
12

13 C. Dimensions: The vision clearance triangle for said intersections shall be as follows:
14

15 1. At intersections of public rights-of-way, the VCT shall be formed by measuring
16 twenty feet (20') along each property line from the intersection and connecting the end
17 points of such lines formed by such measurement to create a triangle.
18

19 2. At intersections of driveways and alleys with public rights-of-way, the VCT shall be
20 formed by measuring ten feet (10') along the property line from the intersection and ten
21 feet (10') along the driveway or alley connecting the end point of such lines formed by
22 such measurement to create a triangle.
23
24

25 **12-14A-18: MONUMENT AND FREESTANDING SIGNS**

26

27 B. Freestanding Signs: The maximum allowable height of a freestanding sign is as set forth
28 in Section 12-14-5 of this title. Freestanding signs may be located in the vision clearance
29 triangle, provided:
30

31 1. The lowest edge of the sign shall be at least ~~eight ten feet (8' 10')~~ above the ground;
32

33 2. The sign shall be supported by no more than two (2) support columns, each
34 measuring no more than eight inches (8") in diameter and located at least three feet (3')
35 apart; and
36

37 3. The support columns shall be located at least four feet (4') from the property line and
38 any driveway and the outermost edges of the sign shall be located at least two feet (2')
39 away from the property line and any driveway.
40

41 4. Freestanding signs located outside of the VCT are not subject to these requirements.
42

1 **9. ZONING; SETBACKS FOR SHEDS (Section 12-4-5)**

2 Both the Building Inspector and the Community Development Director frequently run into setback
3 conflicts with the placement of sheds. The setbacks of 10' and 5' are simply too large, and project the
4 shed too far into the back or side yard. Staff recommends that shed setbacks be 3', which we have found
5 is other cities' codes, with the text as shown below. Since flammables are frequently stored in sheds, we
6 would like the input of the Fire Chief at a Council workshop.

8 **12-4-5: USE AND DEVELOPMENT STANDARDS APPLICABLE TO ALL DISTRICTS:**

11 D. Setbacks between buildings: The setback between buildings situated on the same parcel
12 shall be a minimum of ten feet (10'), or as required by the building code, whichever is
13 more restrictive. However, accessory buildings with a gross floor area of less than one
14 hundred twenty (120) square feet may be placed within five feet (5') of the principal
15 structure.

17 E. Setbacks for sheds: Detached accessory structures with a gross floor area of less than one
18 hundred twenty (120) square feet (sheds), the setback between the shed and the fence
19 shall be a minimum of three (3) feet), or as required by the building code, whichever is
20 more restrictive.

22 ~~F. E.~~ Public Utilities: Public utility structures or use of land, such as telephone exchanges,
23 utility stations and pumping stations, are permitted in all zones where such location is
24 necessary to its function, subject to review and approval by the city council. This
25 provision shall not be construed to permit other types of governmental or municipal
26 structures, uses or facilities where such a use is a conditional use or is not permitted.

28 ~~G. F.~~ Minimum Building Width: Excepting storage sheds, the minimum building width shall be
29 eleven feet (11').

31 ~~H. G.~~ Maximum Age of Manufactured and Modular Homes: Except as specifically allowed by
32 the City, the maximum age of a manufactured or modular home being established for the
33 first time within the city is three (3) years.

10. ZONING; OLD TOWN WEST MANAGER’S QUARTERS (Section 12-6B)

Citizens Mike and Kristi Unruh request that OTW zoning land uses be revised to allow residential on the ground floor. Council considered this at a workshop and asked staff to bring this forward with limits on the percent of site that the residential could represent. Staff recommends this be handled one of two ways:

- 1. Include ground floor residential as a “manager’s quarters” permitted use not to exceed 25% of total site building gross square footage.
- 2. Include ground floor residential as a “manager’s quarters” accessory use not to exceed 25% of total site building gross square footage.

Staff prefers the second approach. In this manner, any residential use could still go upstairs, whether that is for the manager or any other resident (such as a long-term rental). This is currently the case, and the City should not deny this use. However, ground floor residential would have to be directly tied to the operation of the primary use (the business). In this manner long-term residential only use on the ground floor is avoided, and strictly residential uses scattered throughout a commercial zone are avoided.

The text of each approach follows:

Approach 1:

12-6B-2: PERMITTED USES:

A. Principal Uses:

Arts and crafts galleries.

Business, professional offices or financial institutions.

Eating and/or drinking establishments, excluding drive-through facilities.

Itinerant lodging, i.e. hotels, motels, twenty-five (25) or fewer lodging units.

~~Manager’s quarters on ground floors not to exceed 25% of site building square footage.~~

~~Bed & Breakfasts of 15 units or less~~

[Note from GB: this requires redefinition of B&B from max of 6 units to max of 15 units]

[C. PEREZ: PLEASE EXPLAIN GAMING? GB: the intended misuse of a code written without sufficient definition so as to allow such misuse. C. PEREZ: IF "MANAGER'S QUARTERS ON GROUND FLOORS NOT TO EXCEED 25% OF SITE BUILDING SQUARE FOOTAGE." NOT ADDED THEN HOW WOULD B&B TYPE OF CONSTRUCTION WITH GROUND FLOOR QUARTERS BE INCLUDED? GB: By redefining B&B (see end of this section)]

1 Mixed use: any combination of the permitted uses listed herein.

2
3 Personal services, including, but not limited to, barbershops, tailoring, laundry and dry
4 cleaning, or other service establishments.

5
6 Residences shall be allowed on upper floors when parking is provided.

7
8 Restaurants, excluding drive-through facilities.

9
10 Retail trade establishments such as food stores, drugstores, gift shops, garden stores,
11 variety stores, and appliance stores.

12
13 Theater, but not including drive-ins.

14
15 Special events and festivals may be allowed upon approval by the city council.

16
17 Vacation rentals.

18
19 **Approach 2:**

20 (12-6B-2)

21 C. Accessory Uses and Structures:

22
23 Enclosed storage of materials, supplies and equipment associated with the principal use
24 of the property.

25
26 Live-work spaces within residential uses.

27
28 Manager's quarters on ground floors not to exceed 25% of site building square footage.

29
30 Bed & Breakfasts of 15 units or less

31
32 [Note from GB: this requires redefinition of B&B from max of 6 units to max of 15
33 units]

34 [C. PEREZ: PLEASE EXPLAIN GAMING? IF "MANAGER'S QUARTERS ON
35 GROUND FLOORS NOT TO EXCEED 25% OF SITE BUILDING SQUARE
36 FOOTAGE." NOT ADDED THEN HOW WOULD B&B TYPE OF
37 CONSTRUCTION WITH GROUND FLOOR QUARTERS BE INCLUDED? GB:

38 See above.]

39 Outdoor merchandising, vending and dining, two hundred (200) square feet or less, when
40 such use is associated with a business operating out of an adjacent building.

41
42 Parking and loading areas associated with the principal use of the property.

43
44 **12-2-1, DEFINITIONS:**

45 BED AND BREAKFAST: A residence lodging facility that contains a maximum of six (6)
46 fifteen (15) itinerant rental units, with the owner or manager living on the premises, and that
47 provides a morning meal for guests only. See also "Itinerant Lodging."

1 **11. ZONING; ADD PERFORMING ARTS CENTER AS A PRIVATE LAND USE IN THE RC**
2 **ZONE AND CONSIDER IT FOR OTHER ZONES AS WELL. (Sections 12-6C)**

3 This year a private performing arts center was proposed in the RC zone. A private performing arts center
4 was never a considered use when the zoning code was written and re-written. The new private performing
5 arts center is operating under a Special Use Permit until the code can be revised to accommodate it in the
6 RC zone. Due to proximity to residential uses, staff recommends that this use be limited to an audience of
7 100 in the RC zone. Staff asks Council to consider in which other zones this may be an appropriate use:
8 OT, OTW, C1, S3, S3M. Staff recommends larger facilities be conditional uses in these zones.

10
11 **12-6C-2: PERMITTED USES:**

12
13 A. Principal Uses:

14 Adult family home, six (6) or fewer beds.

15 Arts and crafts galleries.

16 Bed and breakfast, six (6) or fewer guest rooms.

17 Building supply, contractors, shops, excluding exterior storage yards.

18 Business, professional offices or financial institutions.

19 Day care center, eleven (11) or fewer children.

20 Itinerant lodging, i.e. hotels and motels, twenty-five (25) or fewer lodging units

21 Laundromats

22 Mixed use: Any combination of the permitted uses listed herein.

23 Personal services, including, but not limited to, barbershops, laundry and dry cleaning, or
24 other service establishments.

25 Multi-family dwellings, four (4) or fewer units.

26 **Performing arts center seating 100 people or fewer.**

27 Restaurants, with or without drive-through facilities.

28 Retail trade establishments such as food stores, drugstores, gift shops, garden stores,
29 variety stores and appliance stores.

1 Single-family dwellings.

2
3 Two-family dwellings.

4
5 Vacation rentals.
6

7 **12-6C-3: CONDITIONAL USES:**

8
9 ~~Auto repair shops and car washes.~~

10
11 ~~Churches.~~

12
13 ~~Commercial fishing equipment, supplies and repairs (equipment and small engine only).~~

14
15 ~~Custom manufacturing of goods for retail sale on premises, or cottage industries.~~

16
17 ~~Day care center, twelve (12) or more children.~~

18
19 ~~Eating and drinking establishments, excluding drive-through facilities.~~

20
21 ~~Funeral homes and mortuaries, crematorium.~~

22
23 ~~Governmental or municipal structures, uses or facilities.~~

24
25 ~~Group dwellings.~~

26
27 ~~Group home or residential care facility, fifteen (15) or fewer beds.~~

28
29 ~~Itinerant lodging, i.e. hotels and motels, twenty-six (26) or more lodging units~~

30
31 ~~Mixed-use: Any combination of uses including at least one conditional use.~~

32
33 ~~Multi-Family dwellings or a combination of two-family and/or multi-family buildings,~~
34 ~~resulting in five (5) or more dwelling units.~~

35
36 ~~Nursing homes and convalescent centers, seven (7) or more beds.~~

37
38 ~~Outdoor merchandising, vending, and dining greater than two hundred (200) square feet~~
39 ~~may be allowed if such activity is associated with a business operating out of an adjacent~~
40 ~~building. No businesses shall operate solely in an open air environment.~~

41
42 ~~Performing arts center seating more than 100 people.~~

43
44 ~~Public parking lots.~~

45
46 ~~Parks, recreation areas and facilities.~~
47

1 ~~Quasi-public uses:~~
2
3 ~~Recreational vehicle parks on the east side of SR 103 (Pacific Avenue).~~
4
5 ~~Schools:~~
6
7 ~~Wireless communication facilities, pursuant to the requirements of section 12-11-17 of~~
8 ~~this title.~~
9

10 **[GB: Also add to OT, OTW, R3 as permitted use and S3 as conditional use.]**

11

1 **12. ZONING; RESIDENTIAL COMMERCIAL ALLOW CAR RENTALS AND SALES**
2 **UNDER CERTAIN CIRCUMSTANCES (Section 12-6C)**

3 Due to successful operation of the grandfathered Baker car lot and successful operation of the non-
4 conforming U-Haul operation at Paw Prints in the Sand, staff and Council considered whether this use is
5 appropriate in the RC zone, where it is currently prohibited as a principal, accessory, or conditional use.
6 This use is known as “Sale and/or rental of vehicles, boats, travel trailers, mobile homes and their
7 accessory equipment,” and is currently allowable only in C1-Commercial, C2-Commercial Retail
8 Warehouse, and L1-Light Industrial zones. Staff recognizes that due to storage requirements only
9 larger lots in RC are appropriate for this use, and recommends it be included as a principal use
10 only for lots of a certain minimum size. The size has been determined by looking at existing
11 successful operations and determining the amount of land it takes for their operation. Staff
12 recommends this be handled in one of 2 ways:

- 13 1. Include vehicle sale/rental as a principal use.
- 14 2. Include vehicle sale/rental as a conditional use.

15 Staff prefers the first approach – it is faster, more straightforward, and a lot of 0.4 acre ought to have
16 sufficient size to minimize impacts to neighbors.

17

18
19 The text of each approach follows:

20 **Approach 1:**

21 **12-6C-2: PERMITTED USES:**

22
23 A. Principal Uses:

24 Adult family home, six (6) or fewer beds.

25
26 Arts and crafts galleries.

27
28 Bed and breakfast, six (6) or fewer guest rooms.

29
30 Building supply, contractors, shops, excluding exterior storage yards.

31
32 Business, professional offices or financial institutions.

33
34 Day care center, eleven (11) or fewer children.

35
36 Itinerant lodging, i.e. hotels and motels, twenty-five (25) or fewer lodging units

37
38 Laundromats

39
40 Mixed use: Any combination of the permitted uses listed herein.

1 Personal services, including, but not limited to, barbershops, laundry and dry cleaning, or
2 other service establishments.

3
4 Multi-family dwellings, four (4) or fewer units.

5
6 Restaurants, with or without drive-through facilities.

7
8 Retail trade establishments such as food stores, drugstores, gift shops, garden stores,
9 variety stores and appliance stores.

10
11 Sale and/or rental of vehicles, boats, travel trailers, mobile homes and their accessory
12 equipment on one or more lots totaling 0.4 acre or larger located on and operating from
13 Pacific Highway

14
15 [C. PEREZ: WHAT IF THE LOT EXPANDS BACK TO OREGON N &
16 BOULEVARD N? GB: The business would be required to be oriented toward the
17 highway and not the other frontages, which are generally residential in nature.]

18
19 Single-family dwellings.

20
21 Two-family dwellings.

22
23 Vacation rentals.
24

25 **Approach 2:**

26 **~~12-6C-3: CONDITIONAL USES:~~**

27
28 ~~Auto repair shops and car washes.~~

29
30 ~~Churches.~~

31
32 ~~Commercial fishing equipment, supplies and repairs (equipment and small engine only).~~

33
34 ~~Custom manufacturing of goods for retail sale on premises, or cottage industries.~~

35
36 ~~Day care center, twelve (12) or more children.~~

37
38 ~~Eating and drinking establishments, excluding drive-through facilities.~~

39
40 ~~Funeral homes and mortuaries, crematorium.~~

41
42 ~~Governmental or municipal structures, uses or facilities.~~

43
44 ~~Group dwellings.~~

45
46 ~~Group home or residential care facility, fifteen (15) or fewer beds.~~
47

1 ~~Itinerant lodging, i.e. hotels and motels, twenty-six (26) or more lodging units~~

2
3 ~~Mixed-use: Any combination of uses including at least one conditional use.~~

4
5 ~~Multi-Family dwellings or a combination of two-family and/or multi-family buildings,~~
6 ~~resulting in five (5) or more dwelling units.~~

7
8 ~~Nursing homes and convalescent centers, seven (7) or more beds.~~

9
10 ~~Outdoor merchandising, vending, and dining greater than two hundred (200) square feet~~
11 ~~may be allowed if such activity is associated with a business operating out of an adjacent~~
12 ~~building. No businesses shall operate solely in an open air environment.~~

13
14 ~~Public parking lots.~~

15
16 ~~Parks, recreation areas and facilities.~~

17
18 ~~Quasi-public uses.~~

19
20 ~~Recreational vehicle parks on the east side of SR 103 (Pacific Avenue).~~

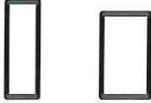
21
22 ~~Sale and/or rental of vehicles, boats, travel trailers, mobile homes and their accessory~~
23 ~~equipment on one or more lots totaling 0.4 acre or larger~~

24
25 ~~Schools.~~

26
27 ~~Wireless communication facilities, pursuant to the requirements of section 12-11-17 of~~
28 ~~this title.~~

1 **13. ZONING; REVISE SIZE OF SANDWICH SIGNS TO ACHIEVE A CLEAR VCT (Section**
2 **12-14A)**

3 Staff recommends that sandwich signs be limited to 42” in height rather than 48” to ensure a clear vision
4 clearance triangle (VCT). Staff also recommends a slightly larger allowable area to balance the signs
5 dimensions. Previously, a 48” tall sign could only be 1.5 feet wide to obtain the maximum square footage,
6 not a very proportionate sign. Below are the “before” (left) and “after” (right) proportions:



10
11 **12-14A-11: SANDWICH BOARD SIGNS:** Sandwich board signs are permitted in the OT,
12 OTW, RC, C1, and C2 zones only, and are subject to the following limitations:

- 13
- 14 A. Placement: Such signs may only be placed on private property and are prohibited on
15 public property, including sidewalks, streets (**including unpaved right-of-way**) and parks.
16 Sandwich board signs shall be removed when the business is not open. Sandwich board
17 signs placed on public property may be immediately removed by the city as a hazard.
- 18
- 19 B. Size: Sandwich board signs shall be forty **eight two** inches (**48"42"**) or less in height and
20 such sign shall not exceed seven **six** (**7 6**) square feet per side.
- 21
- 22 C. Limitation on Number; Area: Sandwich board signs are limited to one per business.
23 Sandwich board sign area shall not count toward allowable sign area.

24

25 **D. Anchoring: Sandwich board signs must be anchored to the ground or weighted in such a**
26 **manner as to keep them from being tipped over by the wind.**

27

1 **14. ZONING; RECONSTRUCTION OF A NON-CONFORMING USE TO OCCUR**
2 **WITHIHN ASPECIFIC TIMEFRAME (Section 12-16-6)**

3 There is a non-conforming home in Long Beach that was partially destroyed by fire. It remains in its
4 damaged state years later. A time limit should be placed on reconstruction.

5

6

7 **12-16-6: RECONSTRUCTION:** If a nonconforming building or a nonconforming use is
8 destroyed by fire, explosion, or act of God, to the extent of sixty percent (60%) of its value
9 before destruction, it may be rebuilt only as a conforming building or use, unless otherwise
10 recommended by the planning commission and approved by the city council. A non-conforming
11 building or use, damaged to the extent of less than sixty percent (60%) of its value, may be
12 rebuilt, provided there is no expansion of the non-conformity.

13 *A. Reconstruction or Demolition of a damaged non-conforming building must occur*
14 *within six (6) months of its being initially damaged.*

15 *B. Reconstruction of a damaged non-conforming building must be initiated within six (6)*
16 *months and completed within two (2) years of its being initially damaged.*

17

18

1 **15. ZONING; REGULATION OF SOLAR ENERGY FACILITIES (new Section 12-11-21)**

2 The City has no regulations regarding solar energy facilities. Staff recommends the following language to
3 remedy this gap in City code.

4
5
6 **12-11-21: SOLAR ENERGY FACILITIES:**

7
8 A. Purpose: The purpose and intent of this section is to encourage development of home or
9 business scale solar energy in **Long Beach** while ensuring such development is
10 compatible with the principal use of a property and minimizing impacts to nearby
11 properties.

12
13 B. Permitted Locations of Solar Facilities: Solar panels or arrays are permitted accessory
14 uses to principal uses located in all zones within the City limits. Solar panels or arrays are
15 permitted subject to the requirements of this section of the Long Beach City code and the
16 criteria and standards contained herein.

17
18 C. Design Criteria: Solar panels or arrays are permitted as an accessory use to commercial and
19 residential uses subject to the following conditions:

20 1. The solar panel or array shall not be located within a required setback, on a structure
21 within a required setback, or within a front yard;

22 2. Solar panels or arrays may extend above the building height standard for the zone by
23 a maximum of six (6) feet, provided:

24 a. They are mounted at the minimum height necessary to generate usable energy;

25 ~~b. In the Residential zoning districts, a solar collector exceeding the zone height~~
26 ~~limit must be placed so that it does not shade the property to the north on January 21~~
27 ~~at noon any more than a structure built to the maximum permitted bulk for that zone;~~

28 **[C. PEREZ: REFERENCES JAN 21 PLACEMENT ON ROOF OF SOLAR**
29 **PANELS. GB: It did. PC thought it unnecessary over regulation.]**

30 ~~e. In other zones except where buildings are built with no side setback, the~~
31 ~~applicant shall either locate a solar collector at least 10 feet from the north edge of the~~
32 ~~roof, or provide shadow diagrams to demonstrate the lack of additional shading on~~
33 ~~January 21 as described above.~~

34 3. Any solar panel or array shall not cause glare or reflection so as to constitute a hazard
35 to pedestrians and/or vehicular traffic;

1 4. Installation of any solar panel or array shall comply with all applicable provisions of
2 the International Building Code, International Residential Code, International Fire Code,
3 and National Electrical Code;

4 5. Any solar panel, array, or accessory component located on the ground shall be located
5 in the side or rear yards in residential zones, and screened with a minimum six foot (6')
6 tall, sight-obscuring fence or landscaping in both residential and commercial zones. The
7 Community Development Director may waive or modify the screening requirement under
8 the following circumstances:

9 a. Screening would render the solar facility ineffective and there are no suitable
10 alternative locations on site to locate the solar facility where screening is feasible; or

11 b. Where abutting uses will not be adversely affected by an unscreened solar facility
12 system due to existing physical improvements, physiographic features, landscaping
13 and/or other factors.

14 ~~6. No interconnected solar energy facility shall be installed unless evidence has been~~
15 ~~submitted to the City that the utility company has been informed of the customer's intent~~
16 ~~to install an interconnected customer-owned, solar energy facility. Off-grid facilities shall~~
17 ~~be exempt from this requirement.~~

18 **[C. PEREZ: REFERS TO INTERCONNECTED SOLAR ENERGY FACILITY**
19 **AND UTILITY COMPANY. GB: It did. PC thought it unnecessary over**
20 **regulation.]**

21 7. Solar panels or arrays collectors are not considered impervious coverage for the
22 purposes of calculating lot coverage if minimum standards are met, including and not
23 limited to height and setback requirements.

24 8. A solar facility collector may be added to an existing nonconforming principal
25 building or lot on which it is located without forcing the entire building to be brought up
26 to current code standards.

27

1 **16. ZONING; REGULATION OF SMALL (less than 10 kilowatts [KW]) WIND**
2 **GENERATION FACILITIES (new Section 12-11-22)**

3 The City has no regulations regarding small wind energy generators, defined as those generating 10 KW
4 or less. During the past 9 months, several residents and businesses have approached staff regarding this
5 matter. Staff recommends the following language to remedy this gap in City code. Staff recommends this
6 be an administrative review of an accessory use. Council may wish to consider whether this is more
7 appropriately a conditional use subject to the Hearing Examiner procedure, including public notice.

9
10 **12-11-22: SMALL WIND GENERATION FACILITIES:**

11
12 A. Purpose: The purpose and intent of this section is to ensure the public health, safety, and
13 welfare regarding installation and operation of small (less than 10 KW) wind generation
14 facilities, to provide guidance to those who wish to install and operate such facilities, and
15 to ensure such facilities are compatible with the principal use of a property and minimize
16 impacts to nearby properties.

17
18 B. Permitted Locations of Wind Facilities: Wind mills and turbines are permitted accessory
19 uses to principal uses located in all zones within the City limits, ~~east of the 1889~~
20 ~~Government Meander Line. That is, they are not permitted in the Shoreline Area.~~ Wind
21 mills and turbines are allowed subject to the requirements of this section of the Long
22 Beach City code and the criteria and standards contained herein.

23
24 **IC. PEREZ: CRITERIA AND STANDARDS CONTAINED HEREIN, BECAUSE**
25 **OF THE VARIETY OF WINDMILLS AND TECHNOLOGY ADVANCEMENTS**
26 **ALL SUBMISSION SHOULD BE SUBJECT TO CONDITIONAL APPROVAL.**

27
28 C. Permit Application: Prior to installation of any component of a small wind generation
29 facility, an application must be made to the City of Long Beach. Such application shall be
30 administratively reviewed and approved or denied by the Director.

31
32 D. Design Criteria: Small wind generation facilities are permitted as an accessory use to
33 commercial and residential uses and are subject to design review, including the following
34 conditions:

35 1. The wind generation facility shall not be located within a standard required setback,
36 on a structure within a required setback, or within a front yard, moreover;

37 a. No small wind generation facility shall be located closer than one hundred and ten
38 percent (110%) of its maximum height to a property line, an above-ground utility, a
39 potentially occupied structure, or a liquid or gaseous fuel source.

40 2. The maximum height of any wind mill or turbine, measured from the ground at the
41 base of the foundation to the highest vertical point shall not exceed **fifty feet (50')**.

1 3. No wind mill blade at its lowest point shall be closer than fifteen feet (15') to the top
2 of its foundation or the ground, whichever is higher.

3 4. No wind mill or turbine shall interfere with the view sheds of surrounding properties.

4 5. Any connection to the small wind generation facility shall be underground, with the
5 exception of guy wires.

6 6. No antennae or advertising shall be affixed to or otherwise placed on a windmill or
7 turbine.

8 7. Installation of any small wind generation facility shall comply with all applicable
9 provisions of the International Building Code, International Residential Code,
10 International Fire Code, and National Electrical Code;

11 ~~8. No interconnected small wind generation facility shall be installed unless evidencee
12 has been submitted to the City that the utility company has been informed of the
13 customer's intent to install an interconnected customer-owned, solar energy facility. Off-
14 grid facilities shall be exempt from this requirement.~~

15 **[C. PEREZ: ANOTHER REFERENCE TO INTERCONNECTED SMALL WIND**
16 **GENERATION AND UTILITY COMPANY.SHOULDN'T THERE BE SOME**
17 **VERIFICATION THAT THE OWNER HAS CONTACTED THE UTILITY**
18 **COMPANY?]**

19 9. Small wind generation facilities are not considered impervious coverage for the
20 purposes of calculating lot coverage if minimum standards are met, including and not
21 limited to height and setback requirements.

22 10. A small wind generation facility may be added to an existing nonconforming
23 principal building or lot on which it is located without forcing the entire building to be
24 brought up to current code standards.

25 Add as a use at the following (see next page):

26

- 1 **As Accessory Use**
- 2 R1: 12-5A-2(B)
- 3 R1R: 12-5B-2(B)
- 4 R2: 12-5C-2(B)
- 5 R2R: 12-5D-2(B)
- 6 R3: 12-5E-2(B)
- 7 R3R: 12-5F-2(B)
- 8 OT: 12-6A-2(B)
- 9 OTW: 12-6B-2(B)
- 10 RC: 12-6C-2(B)
- 11 AC: 12-6D-2(B)
- 12 C1: 12-7A-2(B)
- 13 C2: 12-7B-2(B)
- 14 L1: 12-7C-2(B)
- 15 P: 12-9A-2(B)
- 16 PR: 12-9B-2(B)

- 17 **As Conditional Use**
- 18 R1: 12-5A-3
- 19 R1R: 12-5B-3
- 20 R2: 12-5C-3
- 21 R2R: 12-5D-3
- 22 R3: 12-5E-3
- 23 R3R: 12-5F-3
- 24 OT: 12-6A-3
- 25 OTW: 12-6B-3
- 26 RC: 12-6C-3
- 27 AC: 12-6D-3
- 28 C1: 12-7A-3
- 29 C2: 12-7B-3
- 30 L1: 12-7C-3
- 31 P: 12-9A-3
- 32 PR: 12-9B-3

33 **[C. PEREZ: AS CONDITIONAL USE**
34 **FOR ALL]**

17. ZONING, BUILDING, OR UNIFORM DEVELOPMENT (uncertain, clearly, where this belongs); REQUIREMENTS FOR DRAINAGE STUDIES

The City has no regulations regarding drainage studies – when they are required and what information they should cover. Staff recommends the following language to remedy this gap in City code.

X.X: DRAINAGE PLANS:

[C. PEREZ: HOW MUCH IS THIS GOING TO COST? DESIGN, SCIENTIFIC ANALYSIS, PEAK DISCHARGE, SURFACE WATER ENTERING AND LEAVING?]

A. Any application for any of the following permits or approvals shall be required to include a drainage plan for review and approval by the City:

1. Short or long plat;
2. Any project located in the Shoreline Area west of the 1889 Government Meander Line that would alter topography or the amount of impervious cover or ;
3. Any project where impervious cover exceeds forty percent (40%) of a lot, including incremental additions or alterations.

B. Any drainage plan submitted shall be supplemented with additional information at the request of the City.

C. Submission of a drainage plan may be waived by the City or its designated representative when the applicant is able to show proof that the runoff/drainage:

1. Will not seriously and adversely impact water quality conditions of any affected receiving bodies of water; or

[C. PEREZ: HOW IS WATER QUALITY MEASURED? GB: Turbidity, volume, pollutant loads. For this matter, #2 is likely the condition they will attempt to demonstrate.]

2. Will not alter drainage patterns, increase peak discharge, or cause any other adverse effects in the drainage area.

D. Contents of a Drainage Plan.

1. Background information shall be provided and proposed improvements for handling future runoff shall be described in as much detail as is required to make the drainage plan understandable and usable.

1 2. At a minimum, the following background information shall be required:

2 a. Depiction of the drainage area on a topographical map, with acreage indicated;

3 b. The peak discharge and amount of surface water currently entering and leaving
4 the subject property;

5 **[C. PEREZ: HOW IS THIS MEASURED? RAIN/SNOW? GB: It would be**
6 **measured for a rain event, not snow, and measured in cubic feet per second (cfs)]**

7 c. The peak discharge and amount of runoff which will be generated within the
8 subject property if development as proposed is allowed to proceed;

9 E. Computation of Stormwater Runoff. The computation of stormwater runoff from any
10 property shall be determined by one of the following two methods:

11 1. Rational method, where $Q = CIA$.

12 Q = Peak runoff rate in cubic feet per second.

13 C = Runoff coefficient which is the ratio of the maximum rate of runoff per unit area
14 to the average rate of rainfall over the duration of the design storm.

15 **[C. PEREZ: WHAT IS A DESIGN STORM? GB: Per the Washington State**
16 **Storm Water Management Manual for Western Washington, the design storm is**
17 **a 24-hour storm with a 6-month return interval, also called a 6-month 24-hour**
18 **storm.]**

19 I = Average rainfall intensity for the duration of the design storm, expressed in inches
20 per hour.

21 A = Drainage area in acres, including all of the tributary area above the point of
22 interest.

23 2. Soil Conservation Service (SCS) curve number method, a description of which is
24 found in the "SCS National Engineering Handbook" Section 4: Hydrology, August, 1972.

25 **[C. PEREZ: SAY WHAT? SCS CURVE NUMBER???**
26 **GB: the SCS curve**
27 **number method determines runoff depth and volume by relating a land area's**
28 **runoff depth (precipitation excess) to the precipitation it receives and to its**
natural storage capacity. It's an engineer thing.]

29 F. Mandatory Requirements for all Drainage Plans and Improvements.

1 1. Surface water entering the subject property shall be received at the naturally
2 occurring location and surface water exiting the subject property shall be discharged at
3 the natural location with no diversion at any of these points.

4 2. The peak discharge from the subject property may not be increased due to the
5 proposed development.

6 3. Detention facilities must be provided in order to handle all surface water in excess of
7 the peak discharge.

8 4. Where open channel construction is used to handle drainage within the property, a
9 minimum of fifteen (15) feet will be provided between any structures and the top of the
10 bank of the defined channel.

11 a. In open channel work the water surface elevation shall be indicated on the plan
12 and profile drawings. The configuration of the finished grades constituting the banks
13 of the open channel shall also be shown on the drawings.

14 b. Proposed cross-section of the channel will be shown with stable side slopes with a
15 maximum slope of 2:1 unless paved.

16 c. The water surface elevation of the design flow will be indicated on the cross-
17 section.

18 5. Where a closed system is used to handle drainage within the property, all structures
19 will be a minimum of ten (10) feet from the closed system.

20 6. Administrative variances from any or all of the foregoing requirements may be
21 permitted only after a determination by the City, employing the following criteria:

22 a. Capacity of downstream facilities;

23 b. Acceptability of receiving bodies of water;

24 c. Possibility of adverse effect of detention; and

25 e. Capability of maintaining the system.
26

**ADDITIONAL CHANGES REQUIRED BY THE DEPARTMENT OF ECOLOGY TO
TITLE 10 – BUILDING REGULATIONS, CHAPTER 4 – FLOOD DAMAGE
PREVENTION**

Below are revisions to the building code required by DOE for the City to be compliant with FEMA’s National Flood Prevention Insurance Program. By becoming compliant, the City increases chances of grant funding from FEMA.

10-1-1 Definitions

DEVELOPMENT: The division of a parcel of land into two or more parcels. The construction, conversion, structural alteration, relocation, or enlargement of any structure; any authorized mining, excavation, landfill, or land disturbance; use or extension of land.

DEVELOPMENT, IN AREAS OF SPECIAL FLOOD HAZARD: For purposes of Chapter 4 of this title, “development” is any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

10-4-4: BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD: The areas of special flood hazard identified by the federal insurance administration in a scientific and engineering report entitled "The Flood Insurance Study For The City of Long Beach" dated February 1979, and any revisions thereto, with an accompanying flood insurance rate map (FIRM) dated August 1, 1979, and any revisions thereto, are hereby adopted by reference and declared to be a part of this chapter. The flood insurance study and the FIRM are on file at Long Beach city hall, 115 Bolstad West, Long Beach, WA, and the FIRM can be viewed via the City’s GIS system found by following the GIS link at longbeachwa.gov. The best available information for flood hazard area identification as outlined in subsection 10-4-5B2 of this chapter shall be the basis for regulation until a new FIRM is issued which incorporates the data utilized under subsection 10-4-5B2 of this chapter.

10-4-7: GENERAL STANDARDS FOR FLOOD HAZARD REDUCTION:

- B. ~~AH-Zone Drainage~~-Adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.
-

10-4-8: SPECIFIC STANDARDS FOR FLOOD HAZARD REDUCTION:

2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be

certified by a registered professional engineer or architect and below grade crawl spaces will not be considered basements if the following conditions are met:

~~or must meet or exceed the following minimum criteria:~~

- (a) The interior grade of a crawlspace below the BFE must not be more than 2 feet below the lowest adjacent exterior grade.
- (b) The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the Floor Joist must not exceed 4 feet at any point.
- (c) There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.
- (d) The velocity of floodwater at the site should not exceed 5 feet per second.
- (e) Ductwork must either be placed above the BFE or sealed to prevent the entry of floodwaters.
 - ~~a. A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided on different sides of each enclosed area.~~
 - ~~b. The bottom of all openings shall be a maximum of one foot (1') above grade.~~
 - ~~c. Openings may be equipped with screens, louvers, or other coverings or devices provided such openings allow automatic entry and exit of floodwaters.~~
 - ~~d. The interior grade of a crawlspace below the base flood elevation shall not be more than two feet (2') below the lowest adjacent exterior grade.~~
- ~~e. The height of a below-grade crawl space, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall shall not exceed four feet (4') at any point.~~

D



**CITY COUNCIL
AGENDA BILL
AB 12 - 58**

Meeting Date: November 19, 2012

AGENDA ITEM INFORMATION

| | | |
|---|-----------------------------------|-----------------------------|
| SUBJECT: Setting Property Tax Rate for 2013 collections | <i>Originator:</i> | |
| | Mayor | |
| | City Council | |
| | City Administrator | GM |
| | City Attorney | |
| | City Clerk | |
| | City Engineer | |
| | Community Development Director | |
| | Finance Director | DG |
| | Fire Chief | |
| | Police Chief | |
| | Streets/Parks/Drainage Supervisor | |
| | COST: \$6,526 | Water/Wastewater Supervisor |
| | Other: | |
| SUMMARY STATEMENT: The preliminary budget has been prepared with a 1.0% increase in property taxes, plus any new construction and annexations. The amount of increase for 2012 is \$6,609 over the collections for 2012. | | |
| RECOMMENDED ACTION: Approve resolution 2012-8 setting property tax rates. | | |

RESOLUTION 2012-8

A RESOLUTION OF THE CITY OF LONG BEACH, WASHINGTON, SETTING THE 2013 PROPERTY TAX LEVY FOR COLLECTION IN 2013.

WHEREAS, the City of Long Beach has met and considered its budget for the calendar year 2013; and

WHEREAS, the cities actual levy amount from the previous year was \$560,886; and,

WHEREAS, the population of the city is less than 10,000; and now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONG BEACH, WASHINGTON, that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2013 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be \$5,609 which is a percentage increase of 1.0% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

Passed this 19th day of November, 2012.

Ayes ____ Nays ____ Absent ____

MAYOR

ATTEST:

City Clerk

Levy Certification

In accordance with RCW 84.52.020, I, David Glasson, Finance Director for the City of Long Beach, do hereby certify to the Pacific County legislative authority that the Council of the City of Long Beach requests that the following levy amounts be collected in 2012 as provided in the city's budget, which will be adopted following a public hearing held on December 5, 2011.

Regular Levy : \$569,500.

Finance Director

Date

E

Initiative 502 – the Marijuana Legalization Initiative – Passed! What Happens Now?

Posted on November 7, 2012 by [Jim Doherty](#)

Initiative 502 goes into effect 30 days after the election, on December 6th. After that date, it will be legal under state law for individuals 21 or older to possess marijuana in designated amounts. Those amounts are: one ounce of useable marijuana; 16 ounces of marijuana-infused product in solid form; or 72 ounces of marijuana-infused product in liquid form. See [section 15\(3\)](#) and [section 20](#) of Initiative 502.

It will take over a year for the state Liquor Control Board to adopt the required regulatory rules establishing a system for licensing growers, distributors, and retailers. Licenses will not be issued until after those regulations are adopted. In the meantime, it will still be illegal under state law to grow, distribute, or market marijuana, except as now permitted under state law for medical marijuana.

Though Initiative 502 does not directly change any of the state medical marijuana statutes, the initiative does make one very practical change. In the past, medical marijuana users could be arrested for possession, and they could use their compliance with the state medical marijuana statutes as an affirmative defense at trial. Now, however, assuming that they have in their possession less than the designated amounts, medical marijuana users cannot be arrested.

One provision of Initiative 502 that has caused concern among medical marijuana users is that dealing with driving under the influence. **Part V** of the initiative, sections 31 through 37, establishes a per se level of THC concentration in the blood under which a person is deemed as being “under the influence,” in much the same way as the .08 blood alcohol level; there is no exception for users of medical marijuana. For drivers under the age of 21, any THC in the blood while operating a vehicle will result in license suspension.

The big uncertainty concerning this initiative involves federal law, which has not changed – under federal law, marijuana is still an illegal “controlled substance.” Federal law enforcement officials can still arrest and prosecute anyone who possesses any amount of marijuana. The federal response to this voter initiative is, at this point, unknown, but that may change quickly. Federal officials may file a court action challenging the legality of the initiative in light of federal law, and it is possible that a court could delay the effective date of the initiative while the case is working its way through the courts. Stay tuned; the legal maneuvering on this issue could get complicated!

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About Jim Doherty

Jim has 19 years of experience researching and responding to varied legal questions at MRSC. He updates MRSC's Public Records Act publication and has special expertise in transmission pipeline planning issues.

[View all posts by Jim Doherty →](#)

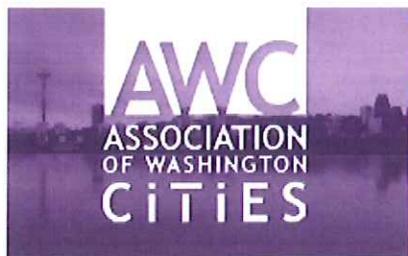
This entry was posted in [Elections](#), [Legal](#), [Public Safety](#). Bookmark the [permalink](#).

MRSC Insight

Theme: *Customized Twenty Ten* Blog at [WordPress.com](#).

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LEGISLATIVE
ADVOCACYPROGRAMS &
SERVICESTRAINING &
EDUCATION

Legislative Advocacy

PUBLISHED ON FRIDAY, NOVEMBER 09, 2012

I-502: Impacts of the marijuana initiative

Initiative 502 legalizes the possession, use, and sale of marijuana in the state of Washington. On December 6, 2012, persons over 21 will be able to possess certain amounts of marijuana. The initiative will set in motion many discussions on sales, retail licenses, and taxes - all of which will be regulated by the Liquor Control Board (LCB). Though still an illegal substance in the eyes of federal law, this has clearly started a discussion and may bring many changes and challenges to our cities.

The LCB came out with [an official statement](#) that they will progress with the will of the voters. They LCB will establish rules regarding licensing and sales no later than December 1, 2013.

After obtaining the appropriate licenses, stores will be allowed to sell to an individual, one ounce of useable marijuana, 16 ounces of marijuana-infused product in solid form, or 72 ounces of marijuana-infused product in liquid form. Stores may not allow on-premises consumption. In fact, it will be illegal to consume or open these products in public view.

The maximum number of retailers per county, the maximum amount of marijuana a retailer and producer may have on premises, how and when marijuana could be transported, and product labeling requirements, all become responsibilities of the LCB. Rules about security requirements, employee training and supervision, and locations and hours of retail operations are also among the LCB's tasks.

The initiative provides for a 25% excise tax at each transaction point (producer to processor, processor to retailer, and retailer to consumer). The taxes will be placed in a dedicated marijuana fund. After quarterly distributions of \$1.25 million for LCB administration and \$180,000 to other specific programs, the taxes will be distributed as follows:

- 50% to the state's Basic Health Plan
- 19.07% to the state general fund
- 15% to the Department of Social & Health Services for Behavioral Health & Recovery
- 10% to the Department of Health for marijuana education & public health
- 5% to Community Health Centers
- 1% to the UW and WSU for research on the short- and long-term effects of marijuana use
- .03% to the Building Bridges Programs

Cities will not receive any portion of the excise tax, but will receive local sales and B&O taxes.

Legislative Issues

From the legislative
Hot issues
Environment and l
Federal
Finance
General governme
Infrastructure
Law and justice
Liquor
Marijuana
Personnel
Public records
State budget
Stormwater
Transportation

The Washington State Office of Financial Management (OFM) estimates that locals could receive as much as \$120 million in these taxes over five years. However, there has been some concern that OFM overestimated how much marijuana will actually be consumed from these state-licensed stores. Cities will not see any revenue from marijuana sales until at least December 2013.

OFM also estimates cities will experience increased costs from additional driving under the influence cases but decreased costs from fewer marijuana arrests, prosecutions, and incarcerations.

For more information, check out [our web page on initiatives](#).

Want to learn more?

AWC and the Washington State Association of Counties are partnering to provide a free webinar for city and county officials and employees on November 27. This webinar will be an opportunity to discuss the impacts, how marijuana will be regulated, the tax structure, and what it could mean for your community. Click [here](#) to register.

Categories: [Hot issues](#), [Finance](#), [Law and justice](#), [Marijuana](#)

Quick Links



- About Us
- Associate membership
- AWC Board of Directors
- Center for Quality Communities

- Cityvision
- CityVoice
- CPI data
- MRSC

- Municipal Excellence Awards
- National League of Cities
- State Legislature
- Your city tools





*Serving Grays Harbor,
Mason, Pacific, and
Wahkiakum Counties*

November 1, 2012

City of Long Beach
Attn: Bob Andrew
P.O. Box 310
Long Beach, WA 98631

Dear Mayor Andrew,

This has been a challenging year for everyone as funding has grown tighter and access to government funds has become a huge challenge. One reality is the importance of developing collaborative, regional projects that are more likely to attract funding. This is a primary reason to be members of the Columbia-Pacific Resource Conservation and Economic Development District (ColPac) in 2013.

In 2012 alone, ColPac has made a significant contribution to several vital projects. One in particular has tremendous potential to develop economic growth in the area of renewable energy. Jesse Cardenas, our Executive Director, has led the Quinault Indian Nation through a process that became so important it was named a Great Regions project, one of only seven so recognized in the country. Jesse's leadership role has made all the difference to that project, as well as his almost 100% success rate in grant writing over the past few years.

In a recent Board retreat led by Richard Manwaring, Regional Director of the Economic Development Administration's five state region, a clear mandate was given for the Board to develop as many regional projects as possible. In order to do that, ColPac needs your membership, your name, and your Agency around our table. Your dues in the amount of \$100.00 are an important representation of a partnership that benefits both ColPac and your own work. This letter serves as your invoice for 2013 membership, so please be sure to remit your dues before December 30th.

As a member, you are able to access ColPac's wide range of contacts and request assistance for your projects at a reduced membership rate. ColPac's attention to its members' needs and projects is well known and recognized by many federal and state funding sources. Maintaining your membership not only helps you but also your neighbors and others in our region with similar issues and projects.

ColPac brings you results with technical assistance, project development, grant writing, developing partnerships and project management. ColPac connects members with potential funders and government agencies. It is in your best interest to be at the table with ColPac as we all move forward with important regional projects. If you're at the table with other members, it helps you move the region, therefore yourselves, forward.

Our mission is to preserve the rural quality of life and to promote economic vitality in Grays Harbor, Mason, Pacific and Wahkiakum Counties and the Native American Tribes in those areas.

ColPac provides a regional voice to potential funders such as the Department of Commerce (EDA) and the Department of Agriculture (USDA), as well as private foundations who fund areas of our region. Certainly if you are considering a large infrastructure project or even a smaller agricultural project that supports economic development, ColPac is a natural partner.

We invite you to continue your membership with Columbia Pacific as your dues are an important factor in funding our staff and operating costs. It is our intent in 2013 to hire staff to serve as a Membership Coordinator who will be visiting members and bringing news and funding opportunities to your area on a regular basis.

Please help us further our region by bringing your projects to our attention. If there is anything we can do to assist you or if there is a regional project you'd like to explore with partners, there is no better place to start than ColPac. Our Board is committed to helping our members succeed. To do that, we need information about your projects to help move partnerships and applications for funds forward. As a member, you are invited to all monthly meetings and you have a vote whenever you attend. Meetings are held regularly in all areas of the region. As a member, your input, your ideas and your vote are all important to us.

We welcome you to join us in improving the economic health of our communities. Please check out our website for more information. We also encourage you to contact Jesse Cardenas, our Executive Director, if you have any questions. You are also welcome to contact me as Board President.

We look forward to working closely with you in 2013.

Sincerely,

A handwritten signature in blue ink that reads "Karen Bertroch". The signature is written in a cursive style with a large initial 'K'.

Karen Bertroch
Board President

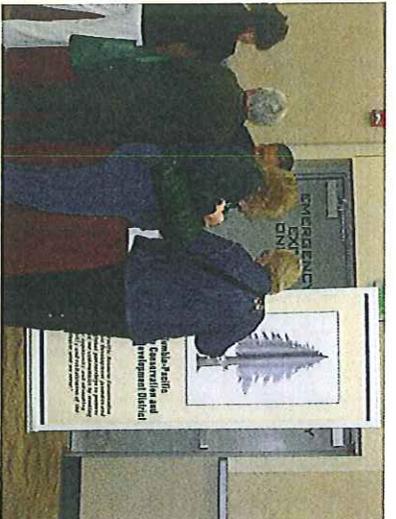


Deputy Secretary Highower and Jesse Cardenas at Seattle EDA Conference.

In 1998 Columbia-Pacific Resource Conservation and Development was granted its Economic Development District designation. This designation includes a four district area comprised of Grays Harbor, Mason, Pacific and Wahkiakum Counties. These four rural Southwest Washington counties have joined together to form a regional economic development district. Each of these counties share similar goals for diversifying the local economy by attracting and strengthening non-resource based industry, while still maintaining the attractive qualities of a rural lifestyle.

Our economic development purpose is to facilitate the development of regional projects and programs focusing on building the capacity of organizations and communities in pursuit of successfully attaining their economic development goals and objectives. To that end Columbia-Pacific RC&EDD offers an array of services to non-profit and for-profit organizations and communities.

For more information on any of the services listed or if you are interested in becoming a member of Columbia-Pacific RC&EDD, please call 360-249-2267 or email jeardenas@colpac.org.



Our booth at the Ocean Shores Nonprofit Leadership Conference 2009

Facilitation Services

- Needs Assessment
- Program Development
- Meeting Organization

Facilitation Fees

| | |
|-------------------------|-----------|
| Non-Profit Members..... | \$ 80/day |
| Members..... | \$150/day |
| Non-Members..... | \$250/day |

Grant Writing Services

- Organizational Needs Assessment
- Project Development
- Budget Development
- Identification of Potential Funding Sources
- Grant Application Preparation including Letter of Inquiry and Application

Grant Writing Fees

| | |
|-------------------------|---------|
| Non-Profit Members..... | \$25/hr |
| Members..... | \$40/hr |
| Non-Members..... | \$60/hr |

Reduced Annual Subscription Rate for Foundation Directory Online (Grant Search Tool) and reduced rate conference calling.



Grant workshop attendee receiving a certificate of completion from Columbia-Pacific RC&EDD Executive Director

Grant Development Training Workshop

- Services include instruction in
- Gathering background information for Project Development
 - Executive Summary
 - Statement of Need
 - Project Description
 - Project Budget
 - Organizational Information
 - Project funding research

Grant Development Workshop Fees*

| | |
|-------------------------|-----------------|
| Non-Profit Members..... | \$30 per person |
| Members..... | \$40 per person |
| Non-Members..... | \$50 per person |

*Fees include materials and refreshments.

Strategic Planning

- Mission Statement
- Vision Statement
- Identifying Goals and Objectives
- Organizational Needs Analysis
- Operational Budget Development Assistance

Strategic Planning Fees

| | |
|-------------------------|-----------|
| Non-Profit Members..... | \$ 80/day |
| Members..... | \$150/day |
| Non-Members..... | \$250/day |

Report: AGY064P2
710-IBL BLSD020

State of Washington
Business Licensing Service
Agency Requirements Document (ARD)

Date: 11 02 2012
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: LLC

UFI Number : 603 250 552 001 0001

Legal Entity Name : PACIFIC COAST CABINS LLC

Application ID : 2012 307 4663

Firm Name : PACIFIC COAST CABINS LLC

Application Received Date: 11 02 2012

Location Phone/FAX: (360) 244-0222 (000) 000-0000

Fees : \$125.00

Location Address : 111 OCEAN BEACH BLVD S

Expiration Date: 11 30 2013

LONG BEACH WA 98631

Business Open Date: 11 02 2012

In City Limits: Y

Product/Serv Desc: Services
Services WEEKEND VACATION RENTALS

Operator Comments:

Square Footage: 700

Applying as Non Profit Business: N
501(C) Received: _

Conducting Business From Residence: N

Hazardous/Flammable Materials: N

Emergency Contact 1: CHERYL RAMBERG
Emergency Contact 2: CHERYL RAMBERG

(360) 593-1867
(360) 268-9220

Email Address: OCEANANGELS2@AOL.COM

Additional Business Activities:

Account Status: Pending Approval

| | | | | | |
|-----------|--------|------|---------|----------|------|
| Zoning | OTW SB | Date | 11/5/12 | Fire | Date |
| Building | | Date | | Police | Date |
| Finance | | Date | | Planning | Date |
| Comments: | | | | | |
