



AGENDA

Workshop March 16, 2015 at 5:30p.m.
Long Beach City Council Meeting
Regular City Council March 16, 2015 at 7:00 p.m.
 Long Beach City Hall - Council Chambers
 115 Bolstad Avenue West

5:30 PM CALL TO ORDER

- + WS 15-07 – Medical Marijuana & RV Code Comments – TAB – A
- + WS 15-08 – City Crew part time and full time discussion – TAB - B

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

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

CONSENT AGENDA – TAB - C

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, March 2, 2015 Regular City Council meeting.
- Payment Approval List for Warrant Registers 55136 - 55182 & 77615 – 77700 for \$213,525.30

BUSINESS

- AB 15-20 – Request by Don Lee for fireworks vending - TAB-D
- AB 15-21 – Request by Brooke Ostgaard for fireworks vending – TAB – E
- AB 15-22 – Pacific County Radio Agreement – TAB – F
- AB 15-23 – Contract with Pacific County Economic Dev. Cl. – TAB - G

ORAL REPORTS

- City Council Mayor City Administrator Department Heads

CORRESPONDENCE AND WRITTEN REPORTS – TAB - H

- Correspondence – PD report for February
- Correspondence – VB report for February
- Business License – Artful Framing; 104 30th Street NW, Long Beach
- Business License – Integrity Cleaning; 2212 68th Place, Long Beach
- Business License – Premier Construction; 13010 Pacific Way, Long Beach
- Business License – Gateway Mortgage Service, L.P.; Spanaway, WA
- Business License – Gateway Mortgage Service, L.P.; Bellevue, WA
- Business License – Beach Time Landscaping; 203 Bolstad, Long Beach
- Business License – Best Western Long Beach Inn; 500 Ocean Beach Blvd.
- Business License – Body Essence Massage; 409 Side Snyder Dr
- Business License – Steven Carl Rantala; Longview, WA

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.
 April 6, 2015 – 7:00 pm - City Council Meeting
 April 20, 2015 – 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 or advise City Clerk at the meeting.

TAB

A

TAB

A



**CITY COUNCIL
WORKSHOP BILL
WS 15-07**

Meeting Date: March 16, 2015

AGENDA ITEM INFORMATION		
SUBJECT: Medical Marijuana; RV Code Comments	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Events Coordinator	
	Finance Director	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
COST: N/A		
<p>SUMMARY STATEMENT: Attached is a memo describing the issues staff is requesting input on. In summary, a review and possible revision of zones where non-I-502 medical cannabis may be grown and a review of comments received on RV park code revisions.</p>		

City of Long Beach
Department of Community Development

Memo

To: City Council
From: Gayle Borchard
CC: file
Date: March 16, 2015
Re: 2015 Code Revisions: Marijuana and RV Parks

Councilors, This memo addresses 2 main issues: marijuana and RV Parks.

Marijuana

We have had our first collective garden apply for licensing. I think this is a good thing. However, we somehow did not include the R1R zone for this purpose. Since we allow it in R1, I believe the R1R omission is a simple oversight, but to include it would require a code amendment. Of course, this is a Council decision, and staff needs guidance. I ask that we sit down and carefully look at all the possible zones for collective gardens again, just to make sure if the code should be revised, and if so, we make all changes you wish at one time.

RV Parks

We have comments from RV operators on the first draft of the proposed RV codes. One comment from outside counsel is that I appear to lack clarity on exactly what the code is trying to accomplish. I couldn't agree more. It is possible that several issues are being addressed by one set of code. I'd ask your help and indulgence in taking a step back and a bit of time as a team to tease out the issues and get them down on paper. This can't hurt us and may lend some much needed clarity – I could use the help, and it seems like it would be time well spent.

Regards,

Gayle



ATTACHED: MD CODE (MEDICAL)
COMMENTS ON RV CODE REVISIONS

ARTICLE B. MEDICAL MARIJUANA RELATED LAND USES

12-17B-1: INTENT:

The intent of this article is to provide robust and effective land use controls on any site, structure, activity, or use related to the limited production, processing, or distribution of marijuana to be used medicinally and not otherwise prohibited under Revised Code Of Washington 69.51A (medical marijuana). This framework is intended to address local issues and preferences while ensuring the public's health, safety, and welfare and also while complying with Revised Code Of Washington 69.50 (uniform controlled substances act) and 69.51A, which establish regulatory schemes for the limited production, processing, and distribution of medical marijuana. (Ord. 900, 6-16-2014)

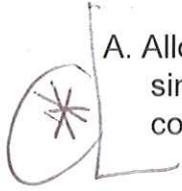
12-17B-2: PREREQUISITES:

A. Licenses And Inspections A Prerequisite: No medical marijuana land use shall be established in the city of Long Beach without first obtaining the following:

1. A medical marijuana operations license.
2. An inspection by the Long Beach building inspector or his/her designee. The inspection must have no negative findings, or any negative findings must be addressed and the site reinspected until no negative findings result.
3. An inspection by the Long Beach fire chief or his/her designee. The inspection must have no negative findings, or any negative findings must be addressed and the site reinspected until no negative findings result.
4. An inspection by the Long Beach police chief or his/her designee. The inspection must have no negative findings, or any negative findings must be addressed and the site reinspected until no negative findings result. (Ord. 900, 6-16-2014)

12-17B-3: LOCATION:

Medical marijuana gardens may be sited in Long Beach subject to the following:



A. Allowed Zones: Medical marijuana gardens are allowed as a conditional use in the R1 - single-family residential, S1 - shoreline single-family residential, RC - residential commercial, C1 - commercial, C2 - commercial retail warehouse, and L1 - light industrial.

B. Outdoor Medical Marijuana Gardens Prohibited: All medical marijuana gardens must be located indoors, in a permanent building or a greenhouse permanently affixed to the ground.

C. Separation: Medical marijuana gardens shall not be located:

1. On property located within five hundred feet (500') of property on which is located a youth oriented facility, school, park, church, juvenile group home, or residential treatment facility, measured from nearest property line to nearest property line;
2. Within twenty feet (20') of any occupied legal residential structure located on a separate legal parcel or residential accessory structure used primarily by children (a "playhouse"), measured from nearest exterior wall of the medical marijuana garden structure to nearest exterior wall of the residential structure or residential accessory structure;
3. In a mobile home park, within twenty feet (20') of an occupied mobile home, measured from nearest exterior wall to nearest exterior wall;
4. Within one hundred feet (100') of Pacific Highway, measured from nearest property line to nearest right of way line; or
5. In any location where marijuana plants are visible from the public right of way, publicly traveled private roads, a public place, or neighbor's property. (Ord. 900, 6-16-2014)

12-17B-4: RESTRICTIONS ON, REQUIREMENTS AND STANDARDS OF OPERATION:

Following are the restrictions on, requirements, and standards for medical marijuana gardens located in the city of Long Beach, whether operated by an individual or a collective:

A. No Nonconforming Status: Notwithstanding the provisions of [chapter 16](#), "Nonconforming Uses And Structures", of this title, an existing cannabis garden in operation as of the effective date of this chapter shall be brought into full compliance with the provisions of

this chapter within one year of the chapter's effective date.

- B. City Application Required: Prior to establishing a medical marijuana garden, the individual or collective operating the garden must make application to the city of Long Beach on forms provided by the city.
1. The applicant must pay an application fee of four hundred dollars (\$400.00).
 2. The proposed land use will be evaluated for land use, zoning, and code compliance.
 3. The applicant must make the property available for inspections by city personnel.
 4. The structure proposed to house the land use will be inspected for structural suitability, fire safety, and security. The cost of these three (3) inspections shall be two hundred fifty dollars (\$250.00) each, or seven hundred fifty dollars (\$750.00). If negative findings result from an inspection and reinspection is required, the cost of reinspection shall be two hundred fifty dollars (\$250.00) per inspection.
- C. City Medical Marijuana Garden Operations License Required: Each medical marijuana garden shall pay an annual licensing fee of three hundred dollars (\$300.00) at the beginning of each licensing year.
1. A medical marijuana garden shall not operate without a license.
 2. The city will not prorate or refund medical marijuana garden operations license fees.
 3. Failure to acquire an annual license shall result in the medical marijuana garden operation being terminated.
- D. Annual Inspections Required: Every year, the site shall be inspected by city personnel for structural suitability, fire safety, and security. The cost of these inspections shall be paid for via the annual medical marijuana garden operation licensing fee.
- E. Operating Standards: The following restrictions apply to the operation of medical marijuana gardens, whether operated by an individual or a collective:
1. Odor: The cultivation of marijuana shall not subject occupants of neighboring parcels who are of normal sensitivity to objectionable odors.
 2. Lighting: All lights used for the cultivation of marijuana shall be shielded and downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the parcel upon which they are placed.

3. Noise: The cultivation of medical marijuana shall not exceed the noise disturbance standards as set forth in [title 5, chapter 5](#), "Noise Control", of this code. Any noise/vibration disturbance shall be abated, whether caused by loud noise or by low frequency disturbance.
 4. Visibility: Medical marijuana shall not be grown or on display in any location where marijuana plants are visible from the public right of way, publicly traveled private roads, a public place, or neighbor's property.
 5. Signage: There shall be no exterior signage or symbology relating to the medical marijuana garden.
 6. Gas Prohibited: The use of gas products (CO₂, butane, etc.) for medical marijuana cultivation is prohibited. If propane is the main source of heat when a medical marijuana garden is established, it may continue to be used for that purpose.
 7. Compliance With Codes: Every medical marijuana garden shall be in compliance with the applicable provisions of the currently adopted edition of the Washington state building code.
 8. Nuisance: A medical marijuana garden shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other adverse impacts, or be hazardous due to use or storage of materials, processes, products or waste.
 9. Security: Security measures at the medical marijuana garden shall include, at a minimum, the following:
 - a. A burglary alarm system that is professionally monitored and maintained in good working condition;
 - b. Exterior lighting that illuminates all entry points, but does not scatter light off site; and
 - c. Dead bolt locks on all exterior doors.
- F. Delivery Only Among Collective Members: No usable cannabis from a collective medical marijuana garden may be delivered to anyone other than one of the qualifying patients participating in the collective. Collective garden employees/volunteers or collective garden members may not sell any marijuana plants or usable marijuana, nor may they exchange them for items of equivalent value, other than other medical marijuana. Delivery may not occur outside Pacific County. Failure to adhere to this requirement may be prosecuted under the uniform controlled substances act, chapter 69.50 Revised Code Of Washington.
- G. No On Site Sale Of Paraphernalia: There shall be no on site display or sale of paraphernalia used for the use or consumption of medical marijuana at a medical

marijuana garden.

H. Restrictions On Allowable Quantities Of Medical Marijuana: The quantity of any medical marijuana at any single location shall conform to the following:

1. Revised Code Of Washington 69.51A.040 allows an individual qualifying patient or designated provider to cultivate medical marijuana for personal medical use within his/her private residence, as long as the qualifying patient or designated provider:
 - a. Possesses no more than fifteen (15) marijuana plants;
 - b. Possesses no more than twenty four (24) ounces of usable marijuana;
 - c. Possesses no more marijuana product than what could reasonably be produced with no more than twenty four (24) ounces of usable marijuana; or
 - d. Possesses a combination of usable marijuana and marijuana product that does not exceed a combination total representing possession and processing of no more than twenty four (24) ounces of usable marijuana.
2. If a person is both a qualifying patient and a designated provider for another qualifying patient, at any one time they may possess no more than twice the amounts described in subsection H1 of this section. (Ord. 900, 6-16-2014)

12-17B-5: VIOLATIONS:

- A. Failure To Comply: It is a violation of this article for any person owning, leasing, occupying or having charge or possession of any parcel of land within any incorporated area of the city of Long Beach to cause or allow such parcel of land to be used for the indoor cultivation of marijuana or cannabis plants for medicinal purposes in excess of the limitations or in noncompliance with the requirements and standards set forth herein.
- B. Cultivation Limited: The cultivation of more than the number of marijuana plants set forth in this article on one legal parcel, either indoors or outdoors, within the city, regardless of whether the persons growing the cannabis is/are a "qualified patient", or members of a "collective garden" as defined herein, is hereby prohibited.
- C. Nuisance: Nothing in this article shall be construed as a limitation on the city's authority to abate any violation which may exist from the cultivation of cannabis plants from any

location, including from within a fully enclosed and secure building.

- D. Enforcement: Any violation(s) of this article may be enforced as set forth in [title 14](#), "Enforcement Procedures", of this code or, as applicable, the uniform controlled substances act, Revised Code Of Washington 69.50. In addition, violations of subsections A and B of this section are deemed to be a public nuisance and may be abated by the city under procedures set forth in [title 5, chapter 2](#), "Public Nuisances", of this code or state law for the abatement of public nuisances. (Ord. 900, 6-16-2014)

Gayle Borchard

From: Mark Perez <amperezlbwa@yahoo.com>
Sent: Sunday, March 8, 2015 1:18 PM
To: Gayle Borchard
Subject: Re: FYI - Ask MRSC Submission for advise on proposed RV Park code changes

Yeah I've heard from half the owners and they appreciate that we're working with them! :-)

Sent from my iPrecious!

On Mar 8, 2015, at 12:55 PM, "Gayle Borchard" <planner@longbeachwa.gov> wrote:

Mark, Thanks. Nice thoughtful input from Scott. gb

Gayle Borchard
Director, Community Development
City of Long Beach

From: Mark Perez [<mailto:amperezlbwa@yahoo.com>]
Sent: Thursday, March 5, 2015 3:31 PM
To: Gayle Borchard
Cc: Scott Pietz
Subject: Fw: FYI - Ask MRSC Submission for advise on proposed RV Park code changes

Gayle, I received the following input from Scott at Driftwood, please distribute to council and staff and log his input.

Take care, regards, Mark

----- Forwarded Message -----

From: Driftwood RV Park <info@driftwood-rvpark.net>
To: Mark Perez <amperezlbwa@yahoo.com>
Sent: Thursday, March 5, 2015 3:14 PM
Subject: Re: FYI - Ask MRSC Submission for advise on proposed RV Park code changes

After reading through your list of changes to the RV Park Rules I find two things that are of concern. One is the (1b) short term spaces and length. Five (5) months would be more like it as some come in the spring and stay into September.

The second (1c) Long term guests one should be allowed to have 40% occupancy since our busy season is only 2.5 to 3.0 months out of 12. With today's costs it is hard to impossible to bank enough to cover the on going costs throughout the year especially if you have a mortgage to fund. I know the city is concerned about having space for RV'ers, but unless we can pay for the operation of the Park there will be no Parks in the city.

I am encouraged to see the city taking an interest in the business side of RV Parks and creating more up to date rules and regulations in their operation. In the 14 years I have been on the Peninsula I have seen several Parks closed. Others have been modified in

ways that are not conducive to daily visitors. Working with the owners of these Parks will keep them running and keeping a place for summer guests to stay and enjoy Long Beach.

Sincerely,

--

Driftwood RV Park

Scott Pietz

Long Beach, Wa.

360-642-2711

info@driftwood-rvpark.net

Gayle Borchard

From: Mark Perez <amperezlbwa@yahoo.com>
Sent: Friday, March 6, 2015 9:52 AM
To: Gayle Borchard; finance@longbeachwa.gov; Gene Miles; Bob Andrew; Natalie Hanson; Jerry Phillips; Steven Linhart; Del Murry
Cc: Natalie St. John; Don Green & Breanna Keaton; Gerrie Marcus; Linda Halvorsen; Ray Gehrke; info@driftwood-rvpark.net; Bruce Slusler; Tom Willingham; Mike Mooney
Subject: FYI - RV Park Issues

Mayor, Council, and Staff - FYI, attached is the response from MSRC on the Ask MSRC I submitted yesterday. I'll also forward the notes from my conversation with him this morning.

Take care, regards, Mark

Sent from my iPrecious!

Begin forwarded message:

From: Jim Doherty <jdoherty@mrsc.org>
Date: March 6, 2015, 8:49:34 AM PST
To: "amperezlbwa@yahoo.com" <amperezlbwa@yahoo.com>
Subject: RV Park Issues

Councilmember Perez,

You forwarded a series of questions to MRSC related to proposed regulations for the RV parks in the city. I have reviewed our files for similar issues that we have researched in the past, and I discussed some of the issues with another staff attorney.

Our opinion is that cities have the authority to place restrictions on the length of time that RVs can remain in an RV park. There are numerous cities in the state that place time restrictions of varying lengths. It is a discretionary decision of the council regarding the specific time periods.

The licensing of RVs is done by the state, and cities are preempted from placing any additional restrictions. If an RV is used or driven on the roads in violation of the licensing requirements, any police officer can issue a citation for that violation. While an RV is parked off a roadway there is no violation for the city to enforce.

The requirement for a playground space is a discretionary decision for the city council to make. A requirement for a playground space would not constitute a "taking" of private property without due process. However, if the city decides to require a playground space, there should be enough detail so that the regulation can be clearly interpreted. Would specific types of play equipment be required?

As always, we recommend that you review these issues carefully with the city attorney and follow the advice of the city attorney.

Jim Doherty
Legal Consultant
206.625.1300 | MRSC.org | Local Government Success

Gayle Borchard

From: Ray Gehrke <mermaidinnrvpark@gmail.com>
Sent: Thursday, March 5, 2015 3:46 PM
To: Gayle Borchard
Subject: RV Parks

Gayle,

I just read the updates that Mark Perez e-mailed out, and wanted to respond. Like I said in my previous e-mail, I think all the code updates made sense and were easy to understand, and provided ample time for the parks to conform. I do believe that if a park (and for that matter, also apartments) rent to families with children, then a safe play area should be provided. If a park is adults only, a play area doesn't make sense.

Of course the RVs need to have a current license. They are an RV, not a mobile home. Of course they should not be put up on blocks, for the same reason. The problem that the park owners need to think about, is when they decide that they need to evict someone, how much harder that eviction will be if the RV is not licensed and has been put on blocks (which would probably mean that the tires are bad). Now if the park owner decides to buy up some old RVs and rent them out as apartment units, they need to be licensed, and if they want to avoid licensing them, they need to step up and provide Park Model units that don't have to be licensed. Considering the headache that the city would be faced with if a park owner went belly up and the city had to deal with a bunch of old run down RVs that were no longer licensed, I see no reason for the city not to have that code.

Something that I haven't seen in the suggested code additions is a boundary separating the long term area from the short term. I have a wood fence between my mobile homes and the RVers.

Ray 1-800-676-2601

Gayle Borchard

From: Mark Perez <amperezlbwa@yahoo.com>
Sent: Thursday, March 5, 2015 3:31 PM
To: Gayle Borchard
Cc: Scott Pietz
Subject: Fw: FYI - Ask MRSC Submission for advise on proposed RV Park code changes

Gayle, I received the following input from Scott at Driftwood, please distribute to council and staff and log his input.

Take care, regards, Mark

----- Forwarded Message -----

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To: Mark Perez <amperezlbwa@yahoo.com>
Sent: Thursday, March 5, 2015 3:14 PM
Subject: Re: FYI - Ask MRSC Submission for advise on proposed RV Park code changes

After reading through your list of changes to the RV Park Rules I find two things that are of concern. One is the (1b) short term spaces and length. Five (5) months would be more like it as some come in the spring and stay into September.

The second (1c) Long term guests one should be allowed to have 40% occupancy since our busy season is only 2.5 to 3.0 months out of 12. With today's costs it is hard to impossible to bank enough to cover the on going costs throughout the year especially if you have a mortgage to fund. I know the city is concerned about having space for RV'ers, but unless we can pay for the operation of the Park there will be no Parks in the city.

I am encouraged to see the city taking an interest in the business side of RV Parks and creating more up to date rules and regulations in their operation. In the 14 years I have been on the Peninsula I have seen several Parks closed. Others have been modified in ways that are not conducive to daily visitors. Working with the owners of these Parks will keep them running and keeping a place for summer guests to stay and enjoy Long Beach.

Sincerely,

--

Driftwood RV Park
Scott Pietz
Long Beach, Wa.
360-642-2711
info@driftwood-rvpark.net

Gayle Borchard

From: Mark Perez <amperezlbwa@yahoo.com>
Sent: Thursday, March 5, 2015 1:39 PM
To: Gayle Borchard; David Glasson; Natalie Hanson; Jerry Phillips; Bob Andrew; Steven Linhart; Del Murry; Gene Miles
Cc: Natalie St. John; Bruce Slusler; Don Green & Breanna Keaton; Gerrie Marcus; Linda Halvorsen; Ray Gehrke; Susan O'Dell; Scott Pietz; Tom Willingham; Mike Mooney
Subject: FYI - Ask MRSC Submission for advise on proposed RV Park code changes

FYI - I submitted the following to Ask MRSC and will provide their feedback once I get it:

I sit on the city council here in Long Beach and we have 6 RV parks in the city. Last year one of the parks had a lot of drug activity and one resident ended up getting shot by another who committed suicide by shooting himself. This drew a lot of attention to RV parks, and the problem park has since removed residents and is cleaning up the park, but in typical government fashion council and staff feel we need to add code changes for RV parks.

Our RV parks offer a low income housing alternative for a lot of our citizens and many of them have lived quietly in the RV parks for year. The proposed changes work to define itinerant, short-term and long-term spaces. The proposed percentage thresholds are too low and would results in long-term residents having to move when the proposed sunset date of 12/30/2020 is reached. Another proposed change would require RVs to have current license plates, even long-term RVs that have sat in RV parks for year. I called DMV and asked them if a RV permanently parked in a RV park needs current registration and license and they said NO, the DMV does not have this requirement.

Finally there is a proposed code change that would require RV parks with over 10% long-term spaces to have a 500 square foot area for children to play, without any provisions for parks that have no children, what constitutes a playground, and the RV owner would loose income for the RV space they would have to give up to accommodate this requirement. A playground area is not required for any apartments or multi-resident long-term housing in the city so why place this requirement on the RV park community?

I've provided the proposed RV park code changes below and could really use some advise. This seems unfair to single this one set of the community with unreasonable and unfair requirements without addressing them across all residents, i.e. the playground, or to adopt code that will result in citizens being forced to move, even if its 5 years out. I searched the RCWs and find no restrictions or special references to RVs other than their inclusion in mobile home communities. I do see a lot of protections for tenants concerning housing issues. Please advise, please, please, please!

Proposed RV Park Code Additions at Issue:

B. Allowable Uses and Use Allocation

I. An RV park may include itinerant, short-term, and long term spaces, as well as storage areas as follows:

- 1a. Itinerant spaces (30 days or less): up to 100% of total spaces: a minimum of 50%.
- 1b. Short-term spaces (more than 30 days and less than 4 months): a maximum of 50% of total spaces.
- 1c. Long-term spaces (more than 4 months): a maximum of 25% of total spaces.

1d. Storage (unoccupied): a maximum of 25% of total spaces.

2. Non-conforming Use Allocation. Any non-conforming allocation existing at the time of passage of this ordinance shall be corrected the next time a non-conforming space is occupied. No new non-conforming uses shall be allowed.

3. Sunset Date for Existing Non-conforming Use Allocation. Notwithstanding other sections of this code, all existing RV parks shall be made to conform to the allowable use allocation no later than December 31, 2020.

D. All RVs located in an RV park must be road worthy and have current vehicles license plates.

1. Under no circumstances will an RV be allowed to be placed on blocks.

3. Any RV park that has more than 10% long-term spaces shall provide a fenced area for children to play that is a minimum of 500 square feet, subject to approval by the community development director.

Take care, regards, Mark
Long Beach City Councilmember

Gayle Borchard

From: Mark Perez <amperezlbwa@yahoo.com>
Sent: Thursday, March 5, 2015 12:23 PM
To: Gayle Borchard; Natalie Hanson; Jerry Phillips; Bob Andrew; Steven Linhart; Del Murry; Gene Miles
Cc: Natalie St. John; Bruce Slusler; Don Green & Breanna Keaton; Gerrie Marcus; Linda Halvorsen; Ray Gehrke; Susan O'Dell; Scott Pietz; Tom Willingham; Mike Mooney
Subject: FYI - DMV Input for RV Proposed Code Changes
Attachments: 15-03-02 Council Packet RV Extract.pdf

Council, Mayor and Staff - Here is some additional input for the ongoing discussion for the proposed RV Park changes that were included in the back of this weeks Council Packet.

I called the DMV office on Sandridge today at 642-9312 and asked them "Does an RV need a current registration and license if it's permanently parked in an RV Park?" and their response was NO, DMV does not have this requirement.

I also attached the proposed code updates for those CC'ed and our reference.

Take care, regards, Mark

Gayle Borchard

From: Mark Perez <amperezlbwa@yahoo.com>
Sent: Tuesday, March 3, 2015 11:38 AM
To: Gayle Borchard
Cc: Natalie St. John; David Glasson; Natalie Hanson; Council Member Phillips; Bob Andrew; Council Member Linhart; Del Murry; Gene Miles
Subject: RV Park Proposed Code Changes/Additions

Gayle, I provided the following feedback to the proposed code changes that affect the RV parks at last night's council meeting and a few of the park representatives spoke during public comment, you can listen to the council recordings for their and my input. I spoke with some of the park owners and asked them to send you their input as well. If you have any questions feel free to contact me, I'd like to see this addressed again in a workshop after all input is obtained and the cutoff date is reached.

Read through the proposed code updates in the back of the council package, and discussed this with some of the park owners and here's the feedback I heard and my personal input on the updates that affect RV Parks :

- Why does the city even care about RV space allocation? The park that started this all is making an effort to clean up.
- RV Short-term period needs to be at least 6 months
- RV Long-term percentage of 25% is too low, needs to be 50%
- Non-compliance sunset date of 12/31/2020, kicking people out in 5 yrs, if they are non-compliant then we've set the percentage threshold too low
- Vehicle license plates, long-term RV should be exempt from the requirement
- RV Park playground requirement:
 - What about parks that have no kids
 - This requirement is not placed on apartment complexes
 - What constitutes a playground, not defined
 - Loss of RV income space
 - We already have a great playground in the city
- RV's license and registration when RV are not leaving park
- RV Parks are a low income housing alternative, we've bent over backwards for JPCHA housing project with special code for parking, capacity, and vacating property yet burden RV Parks with new code

Take care, regards, Mark

Gayle Borchard

From: Ray Gehrke <mermaidinnrvpark@gmail.com>
Sent: Monday, March 2, 2015 10:29 AM
To: Gayle Borchard
Subject: RV Park rule update

Gayle,

To me it looks like all the updates are very reasonable and easy to understand. I do have one question regarding Section IF paragraph 3. Regarding a play area for children, how would that effect an Adults Only park like mine? We went to an Adults Only park for ALL stays simply because we didn't have a good area for the children to safely play. I have heard some park owners say that they really only get adults, but they do not advertise that their parks are for Adults Only like I do.

Your thoughts please.

Ray 642-2600

Gayle Borchard

From: Linda Halvorsen <graystreak29@hotmail.com>
Sent: Saturday, February 28, 2015 11:32 AM
To: planner@longbeachwa.gov
Subject: RV Park Codes

Hello Gayle,

I am Linda Halvorsen. I am currently the manager of Rosemont Terrace and prospective owner.

Mark Perez was just here with a copy of Code proposed updates and he had emailed me the same. I have a few comments about some of the items.

Playgrounds - if there are no children in park why do we need playground. Playground takes up RV space and more income. Especially if they are overnighters. They would then be tourist and would not be here unless to sleep.

RV's Roadworthy and current vehicle license plates - Some of the people live in trailers that have no title, no license and even with a license plate it is out of date and no one knows who it really belongs to. Can't file lost title as we do not know name. Only thing to do is file abandoned title and when you do that it takes almost a month for the gentleman to come look at and sign paper. Next best thing is to scrape trailer and then the park looks terrible until mess is cleaned up.

Also a suggestion on the Long-term spaces, you have 25% of total spaces. During winter months need to have all spaces long term to get through the winter to pay bills.

We are trying to clean up our park and make it presentable for this upcoming season. I am hoping that someone has taken notice of this already.

I appreciate the help of the city of Long Beach.
Thank you.

Linda Halvorsen

RECEIVED
3/4/15
Personality
No Email

ROSEMONT TERRACE RV PARK
1310 Pacific Ave N
Long Beach, WA 98631
360-640-1159

Response to Code proposed:

7.12-11-19:

B. 1c 25% of Long term spaces (more than 4 months) Needs to be at least 50% due to winter months and need for income to pay monthly bills.

D. RV's roadworthy and current license plates. Some Rv's have been on property as long term residents with no titles. Sold from person to person with no titles which leaves RV park to decide what to do with them. Get abandoned vehicle which takes at least 30 days and to scrape trailers. Really don't know what the answer to this is. This is main problem I am sure throughout all RV parks.

IF. 3 Fenced in area for children to play. 10% long term. If no children in park do we still have to have one? Due to some weather issues children do not go outside anyway.

As new managers and potential owners of this park we would really like to help with RV cleanup in Long Beach.

Thank you for listening to me.

Sandra Halvorsen

Gayle Borchard

From: Ray Gehrke <mermaidinnrvpark@gmail.com>
Sent: Wednesday, October 8, 2014 4:04 PM
To: Gayle Borchard
Subject: Re: Second Try to Schedule a Work Session on RV Parks

Gayle,

Because of the clam digs, I am limited as to which days I am available.
The days I am NOT available are: 9,10,11,12,13.....17,18,19,20.....22,23,24,25
Which means I am available only on the 14,15,16 & 21

Ray Mermaid Inn/RV Park

On Wed, Oct 8, 2014 at 9:58 AM, Gayle Borchard <planner@longbeachwa.gov> wrote:

Folks, I heard from only 1 of you a few weeks ago when trying to schedule the follow-up work session about RV park operation and the City's elderly code on the issue. Can we try again? Just let me know what days you are NOT available through the next few weeks (say through October 24) and I'll work a time out that works for the most people. This really is important to your business, and we need your help to get it right.

Call me if you want to talk directly about this - 360.642.4421 - else just respond to this e-mail.

Thanks much, Gayle

This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

Gayle Borchard

From: Driftwood RV Park <info@driftwood-rvpark.net>
Sent: Tuesday, September 16, 2014 3:36 PM
To: planner@longbeachwa.gov
Subject: RV Owner work group

Hello Gayle,

I would love to work with the group again, but illness has me in a bit of a bad way now. As for rewriting the ordinance regarding RV Parks having summer and long term guests there has to be a balance that will allow a Park to continue operation with those "summer and long term" occupants while still maintaining the ability to continue hosting daily and weekly guests as well. Sacrificing one for the other could and would put some Parks out of business especially with the downturn in daily business since this last depression. It is a struggle to keep up with all the ongoing expenses that a Park has and continue to keep the Park up and running rather than turning it into a Park like the one just before the Astoria bridge. I myself have had an upturn in business, but most of that increase has been rolled into repairs within the Park.

Please keep me posted on your progress and I will try to contribute some ideas and information to the group. I might even have to forgo my trip south unless I can get on top of all the things that are putting me down at this time. Seems like I am spending way too much time in those hospitals lately and wish to avoid more of that.

Sincerely

--
Driftwood RV Park
Scott Pietz
Long Beach, Wa.
360-642-2711
info@driftwood-rvpark.net

Transmittal Memo

To: David Glasson
From: Gayle Borchard 
CC: file
Date: February 26, 2015
Re: Long Beach Annual Code Update
Revised Text

David, Attached is Draft 2 of the annual code amendments. I am waiting to hear from folks about several issues, but think we should plow ahead. I have highlighted in yellow what changes were made as a result of the 2/17 workshop. One comment to define "responsible official" throughout the text (like we do "director") I did not address, because it is well defined at 5-1-1(D) and the definition is "the city administrator or such other person as designated in writing by the mayor" a phrase too long to repeat throughout the text.

Regards,

Gayle Borchard
Community Development Director
City of Long Beach

1 I. TITLE 1, ADMINISTRATION

2
3 1. Revise Council meeting day of the week, revise when a holiday-revised meeting
4 is held.

5
6 A. Regular Meetings: The city council shall meet on the first and third ~~Wednesdays~~
7 Mondays of each calendar month, with the meetings to commence at the hour of
8 seven o'clock (7:00) P.M. Should the meeting date fall on a holiday, the meeting shall
9 take place on the following Tuesday.~~the city council may cancel or reschedule the~~
10 ~~meeting at the city council's sole discretion; notification thereof shall be in~~
11 ~~accordance to state law¹.~~-(Ord. 785, 9-20-2004)

12 Footnote 1: RCW 35A.13.170 and 42.30.080.
13

14
15
16 2. Revise appeal language so that a party of record may appeal, not just any
17 person. Refer appeal to Superior Court instead of City Council.

18
19 1-8-3: APPEAL:

20
21 Any ~~person~~ party of record aggrieved by the decision of the hearing examiner shall have
22 the right to appeal the decision to the ~~city council~~ Pacific County Superior Court. The
23 appeal shall be in writing and delivered to city hall within ~~fourteen (14)~~ twenty-one (21)
24 ~~[u]~~calendar days of the hearing examiner's decision. No new evidence will be accepted by
25 the Superior Court ~~city council~~. The appeal is limited to the record presented to the
26 hearing examiner. (Ord. 793, 2-16-2005)
27
28

1 **II. TITLE 3, FINANCES AND TAXATION**

2
3 **1. Add provisions explaining the application for a refund.**

4 3-10-12: OVERPAYMENT OF TAX:

5 **A.** Any person having paid any tax, original assessment, additional assessment, or
6 corrected assessment of any tax may apply to the ~~director~~ city administrator or his/her
7 designee within the time limitation for refund provided in this section by applying in
8 writing for a correction of the amount paid, in which application the petitioner shall set
9 forth the reasons the amount in which the tax, interest, or penalty should be refunded.

10 **AB.** If, upon receipt of ~~an~~ a timely application for a refund, or during an audit or
11 examination of the taxpayer's records and tax returns, the ~~city administrator or his/her~~
12 ~~designee~~ director determines that the amount of tax, penalty, or interest paid is in excess
13 of that properly due, the excess amount shall be credited to the taxpayer's account or shall
14 be refunded to the taxpayer. Except as provided in subsection ~~B-C~~ of this section, no
15 refund or credit shall be made for taxes, penalties, or interest paid more than ~~four (4)~~
16 ~~[GB: check w/ Darcey to see if this can be 3 years]~~ years prior to the beginning of the
17 calendar year in which the refund application is made or examination of records is
18 completed.

19 **BC.** The execution of a written waiver shall extend the time for applying for, or making a
20 refund or credit of any taxes paid during, or attributable to, the years covered by the
21 waiver if, prior to the expiration of the waiver period, an application for refund of such
22 taxes is made by the taxpayer or the ~~city administrator or his/her designee~~ director
23 discovers that a refund or credit is due.

24 **CD.** Refunds shall be made by means of vouchers approved by the ~~city administrator or~~
25 ~~his/her designee~~ director and by the issuance of a city check or warrants drawn upon and
26 payable from such funds as the city may provide.

27 **DE.** Any final judgment for which a recovery is granted by any court of competent
28 jurisdiction for tax, penalties, interest, or costs paid by any person shall be paid in the
29 same manner, as provided in subsection ~~C-D~~ of this section, upon the filing with the ~~city~~
30 ~~administrator or his/her designee~~ director a certified copy of the order or judgment of the
31 court.

32 **EF.** 1. The ~~city administrator or his/her designee~~ director shall compute interest on
33 refunds or credits of amounts paid or other recovery allowed a taxpayer in accordance
34 with Revised Code of Washington 82.32.060 as it now exists or as it may be amended; or

35 2. If subsection ~~E1-F.1~~ of this section is held to be invalid, then the provisions of Revised
36 Code of Washington 82.32.060 existing at the effective date hereof shall apply. (Ord.
37 828, 12-17-2007, eff. 1-1-2008)
38

1 **2. Correct comma placement in first paragraph; Add provisions in second**
2 **paragraph allowing administrative appeal to hearing examiner for requests for**
3 **refund.**

4 3-10-16: ADMINISTRATIVE APPEAL:

5 Any person, except one who has failed to comply with section 3-10-7 of this chapter,
6 aggrieved by the amount of the fee or tax determined by the director to be required under
7 the provisions of this chapter may, pay the amount due, and appeal from such
8 determination by filing a written notice of appeal with the hearings examiner within thirty
9 (30) days from the date written notice of such amount was mailed to the taxpayer. A fifty
10 dollar (\$50.00) filing fee shall be submitted with the appeal, which filing fee is required
11 to process the appeal. The city clerk shall, as soon as practical, fix a time and place for
12 the hearing of such appeal, and shall cause a notice of the time and place thereof to be
13 delivered or mailed to the parties. The decision of the hearings examiner shall indicate
14 the correct amount of the fee or tax owing. (Ord. 828, 12-17-2007, eff. 1-1-2008)

15 [NOTE FROM GB TO DARCEY: DOES THE PARAGRAPH ABOVE GET REPLACED
16 WITH THE PARAGRAPH BELOW?]

17
18 The decision of the city administrator or his/her designee ~~director~~ on an application for
19 refund under Section 3-10-12 shall be final unless the petitioner files written notice of
20 appeal to the hearings examiner within ten (10) days [GB: check with Darcey] of the city
21 administrator's or his/her designee's ~~director's~~ action. A fifty dollar (\$50.00) filing fee
22 shall be submitted with the appeal, which filing fee is required to process the appeal. The
23 city clerk shall, as soon as practical, fix a time and place for the hearing of such appeal,
24 and shall cause a notice of the time and place thereof to be delivered or mailed to the
25 parties. The decision of the hearings examiner shall affirm, modify, or reverse the
26 decision of the city administrator or his/her designee ~~director~~, and the hearings examiner's
27 decision shall be final.
28

29
30
31 **3. Correct name of court where appeal should proceed.**
32

33 3-10-17: JUDICIAL REVIEW:

34 The taxpayer or the city may obtain judicial review of the hearings examiner's
35 ~~administrative~~ decision by applying for a writ of review with the ~~Thurston-Pacific~~ County
36 superior court within thirty (30) days from the date of the hearings examiner's decision in
37 accordance with the procedure set forth in chapter 7.16 Revised Code of Washington,
38 other applicable law, and court rules. ~~Review by the superior court shall be on, and shall~~
39 ~~be limited to, the record on appeal created before the hearing examiner.~~ The city shall
40 have the same right of review from the administrative decision as does a taxpayer. (Ord.
41 828, 12-17-2007, eff. 1-1-2008)
42

43 3-10-25: SUSPENSION OR REVOCATION OF BUSINESS LICENSE:

1 B. Any licensee may, within seven (7) days from the date that the suspension or
2 revocation notice was mailed to the licensee, appeal from such suspension or revocation
3 by filing a written notice of appeal setting forth the grounds therefor with the director. A
4 copy of the petition must be provided by the licensee to the director and the city attorney
5 on or before the date the petition is filed with the hearings examiner. The city clerk shall
6 set a date for hearing said appeal and notify the licensee by mail of the time and place of
7 the hearing. After the hearing thereon the hearings examiner shall, after appropriate
8 findings of fact, and conclusions of law, affirm, modify, or overrule the suspension or
9 revocation and reinstate the license, and may impose any terms upon the continuance of
10 the license.

11
12 No suspension or revocation of a license issued pursuant to the provisions of this section
13 shall take effect until seven (7) days after the mailing of the notice thereof by the
14 department, and if appeal is taken as herein prescribed the suspension or revocation shall
15 be stayed pending final action by the hearings examiner. All licenses which are
16 suspended or revoked shall be surrendered to the city on the effective date of such
17 suspension or revocation.

18
19 The decision of the hearings examiner shall be final. The licensee and/or the department
20 may seek review of the decision by the ~~superior court of Washington in and for Thurston~~
21 ~~County-Pacific County Superior Court~~ within fourteen (14) days ~~JGB: Check with~~
22 ~~Darcey~~ from the date of the decision. If review is sought as herein prescribed the
23 suspension or revocation shall be stayed pending final action by the superior court.
24

1 III. TITLE 4, BUSINESS AND LICENSE REGULATIONS

2
3 1. Update definition of seller.

4
5 4-4-1: DEFINITIONS:

6 For the purpose of this chapter, the following terms shall have the meanings ascribed to
7 them in this section:

8
9 SELLER: A single person, ~~or husband and wife married couple, or and~~ any charitable
10 organization.

11
12
13
14 2. Remove requirements for a permit and limits on number of sales Council
15 rejected these changes on 2/17

16
17 4-4-2: PERMIT REQUIRED:

18
19 ~~No person shall conduct a garage sale in the city without first obtaining a permit from the~~
20 ~~city clerk treasurer, which permit shall be without cost to the applicant. (Ord. 645, 9-7-~~
21 ~~1993)~~

22
23
24 4-4-3: REGULATIONS:

25
26 A. ~~No person shall conduct a garage sale in a manner that causes others the loss of~~
27 ~~quiet enjoyment of their property. Should the city receive complaints, the seller(s) shall~~
28 ~~modify their sales in such a manner -as to restore quiet enjoyment to those filing the~~
29 ~~complaint, or shall cease operation. [NOTE FROM GB: COULD THIS LEAD TO~~
30 ~~UNREGULATED OUTDOOR VENDING? A HOME BUSINESS?] [NOTE FROM~~
31 ~~DG: WILL THIS LEAD TO PERPETUAL GARAGE SALES?]Number Of Sales Days~~
32 ~~Limited: No person shall be allowed more than six (6) days to hold garage sales in the~~
33 ~~calendar year without first obtaining permission from the city council for such additional~~
34 ~~sales, which permission shall be given only upon good cause being shown that hardship~~
35 ~~will result if such additional sales are not allowed.~~

1 **IV. TITLE 6, POLICE AND PUBLIC SAFETY**

2
3 **1. Correct sentence erroneously left incomplete.**

4 6-5-1: PRELIMINARY STATEMENT:

5 A. This chapter shall be known as, and may be cited as, the Long Beach criminal code.

6 B. The provisions of this criminal code shall apply to any offense committed on or after
7 ~~on the date of adoption of this code.~~

8 _____

9
10
11 **2. Correct name of court where appeal should proceed.**

12
13 6-5-4: CLASSES OF CRIMES:

14 Any offense defined by this criminal code for which a sentence of imprisonment is
15 authorized constitutes a violation of city ordinance and is a crime. Crimes are classified
16 as gross misdemeanors or misdemeanors as provided in ~~this code or in~~ each statute
17 adopted ~~by reference.~~ (2007 Code)

18 GB to Flint: Council would like to know why this does not address felonies as well.

19 _____

20
21
22 **3. Include the type of violation committed when throwing water balloons and eggs;**
23 **should state either that it is an infraction or misdemeanor.**

24
25 6-5-10: THROWING WATER BALLOONS AND EGGS:

26 A. Prohibition: It is unlawful to throw or explode any type of water balloon or any other
27 balloon containing a liquid substance, or eggs, at any time, within one hundred feet (100')
28 of either side of Pacific Avenue from the southern right of way of Tenth Street South to
29 the northern right of way of Bolstad Avenue. (1988 Code § 8.04.030)

30 B. Violation; Penalty: Any person who violates this section ~~has committed an infraction~~
31 ~~and~~ shall be subject to penalty as provided in section 1-4-1 of this code. If the violator is
32 under the age of eighteen (18), the parents and/or guardian shall be held liable. (1988
33 Code § 8.04.050; amd. 2007 Code)

34 GB to Flint: Council wants your opinion on whether this is necessary or should stay as-is
35 or be revised.

1 **V. TITLE 10, BUILDING REGULATIONS**
2

3 **1. Add provision allowing for appeals of administrative decisions relating to the**
4 **application and interpretation of the various building codes**

5 **10-2-12: APPEALS**

6 Appeals of orders, decisions, or determinations made by the building official or fire
7 marshal relative to the application and interpretation of the City's adopted building codes,
8 set forth in Section 10-2-1, and fire code, set forth in Section 10-2-2, shall be to the
9 hearing examiner.- Those parties if record aggrieved by the decision of the building
10 official or fire marshal local administrator may appeal such decision to the hearing
11 examiner as provided in section 11-2C-14 of this code.

12
13
14
15 **2. Update the building codes adopted by reference. Add a new exception regarding**
16 **the use of felt instead of poly weather barriers in certain locations.**

17
18 **10-2-1: BUILDING CODES ADOPTED:**

19
20 The model codes listed below, as approved and adopted by the state building code
21 council except as noted, together with any amendments or additions, are hereby adopted
22 by this reference. These codes must apply to all new construction, remodeling, or repairs.
23 Copies of the codes are on file for inspection in the office of the building department of
24 the city.

25
26 A. International Building Code – Most current cycle adopted by the State of
27 Washington;

28
29 B. International Existing Building Code – Most current cycle adopted by the State of
30 Washington;

31
32 C. International Residential Code – Most current cycle adopted by the State of
33 Washington, with the following exceptions;

- 34 1. For multi-family residential structures of five (5) or more dwelling units,
35 automatic fire sprinkling systems are required;
36 2. Any structure located west of State Route 103 (also identified as Pacific
37 Highway or Pacific Avenue), or in areas of exposure category C or D, shall use
38 asphalt felt as the water-resistive barrier. Products that incorporate asphalt felt as
39 a component layer of protection will be subject to approval by the Long Beach
40 building inspector.
41

- 1 D. International Mechanical Code – Most current cycle adopted by the State of
2 Washington;
 - 3
 - 4 E. Uniform Plumbing Code – Most current cycle adopted by the State of Washington;
 - 5
 - 6 F. Liquefied Petroleum Gas Code (NFPA 54) for LP Gas – Most current cycle adopted
7 by the State of Washington;
 - 8
 - 9 G. Uniform Housing Code 1997, adopted by the City independently of the Washington
10 State Building Code Council;
 - 11
 - 12 H. Uniform Swimming Pool, Spa, and Hot Tub Code 2006;
 - 13
 - 14 I. International Property Maintenance Code 2009, adopted by the city independently of
15 the Washington state building code council;
 - 16
 - 17 J. Washington state barrier fee regulations;
 - 18
 - 19 K. National Electrical Code (NFPA 70) – Most current edition as adopted by the State of
20 Washington;
 - 21
 - 22 L. IECC/Washington State Energy Code – Most current cycle adopted by the State of
23 Washington;
 - 24
 - 25 M. Washington State Historic Building Code – Most current cycle adopted by the State
26 of Washington; and
 - 27
 - 28 N. Washington State Ventilation and Indoor Air Quality Code. (Ord. 889, 4-13-2013)
 - 29
-

30
31
32 **3. Update date of adopted International Fire Code.**

33
34 **10-2-2: FIRE CODE:**

- 35
- 36 A. International Fire Code Adopted: The most current cycle adopted by the State of
37 Washington 2012-international fire code is hereby adopted in its entirety for the
38 purpose of describing regulations governing conditions hazardous to life and
39 property, fire, or explosion.
40
- 41 1. The city does not adopt section 903.2.8: Group R requiring automatic sprinkler
42 systems in all residential dwellings in its entirety. The city does not require such
43 systems in residential buildings of four (4) or fewer dwelling units.
44
- 45 B. Applicability:
- 46

- 1 1. The provisions of this section shall apply to all buildings constructed or developed
2 within the city limits, when the buildings will be served by water mains and fire
3 hydrants capable of delivering the required fire flow and installed as required by
4 this section, unless specifically exempted by this section, or unless waived or
5 modified by the fire marshal.
6
 - 7 2. Decisions of the fire marshal are deemed to be made in the best interest of, and
8 with the concurrence of, an affected fire district in the absence of any credible
9 evidence to the contrary. (Ord. 889, 4-13-2013)
-

10-2-4: BUILDING PERMITS AND FEES:

14 A. Permit Requirements:

- 15 1. Permit Required: No building or other structure may be erected, moved, added to,
16 or structurally altered without a permit issued by the building official. No building
17 permit may be issued except in conformity with the provisions of this title.
18
- 19 2. Application ~~a~~And Accompanying Documents: All applications for building
20 permits must be accompanied by plans in duplicate, drawn to scale, showing the
21 actual dimensions and shape of the lot to be built upon; the exact sizes and
22 location of existing buildings on the lot, if any; and the location and dimensions
23 of the proposed building or alteration. The application must include such other
24 information as lawfully may be required by the building official, including
25 existing or proposed building or alteration; existing or proposed uses of the
26 building and land; the number of families, housekeeping units, or rental units the
27 building is designed to accommodate; conditions existing on the lot; and such
28 other matters as may be necessary to determine conformance with, and provide
29 for the enforcement of, this title.
30
- 31 3. Plans Required: One copy of the plans will be returned to the applicant by the
32 building official after marking such copy approved or disapproved and attest to
33 same by having signed such copy. The second copy of the plans will be retained
34 by the building official.
35
- 36 4. Time Limit To Begin Work: If work described in any building permit has not
37 begun within one hundred eighty (180) days from the date of issuance of the
38 permit, the permit will expire, unless an extension(s) has been granted in writing
39 by the building official for periods no more than one hundred eighty (180) days
40 each. The permit will be canceled by the building official, and written notice must
41 be given to the applicant. (Ord. 847, 8-17-2009)
42
43
44

45 B. Building Permit Fees:

1
2 1. The city hereby adopts by reference building permit fees, which are set forth in
3 table 1-A of the 1997 uniform building code as amended and the building
4 valuation data schedule as published in the most current "Building Safety Journal"
5 of the International Code Council and are on file for inspection in the building
6 department at the Long Beach city hall. Values of structures not listed in the
7 schedule herein will be determined by a bid from a licensed contractor. Permit
8 fees for work other than new construction and additions or not otherwise listed,
9 including, but not limited to, alterations, remodeling, mechanical permits and
10 demolition, shall be established by resolution of the city council.

11
12 a. All valuations that are less than \$5,000.00 will be doubled for the purpose of
13 calculating permit fees.

14
15 2. Additionally, the fees for manufactured house placement are as follows:
16

Singlewide	\$250.00
Doublewide	350.00
Triplewide	450.00

17
18 3. Once an application is made and fee paid, an applicant may withdraw the
19 application. If at the time of withdrawal plan review is not yet initiated, the city
20 may refund up to fifty percent (50%) of the building permit fee. Once plan review
21 is initiated, the city will retain the entire fee and refund shall not occur. (Ord. 868,
22 4-4-2011)

23
24 4. In accordance with Section 109.4 of the International Building Code, all work
25 commencing before issuance of a building permit will result in a monetary fee of
26 100% of the building permit fee in addition to the permit fee^[u2].

27
28 C. Water and Sewer Connection: No building permits for primary use structures shall be
29 issued without the applicant having first paid water and sewer connection fees and
30 secured a side sewer permit. (Ord. 847, 8-17-2009)
31
32
33
34

1 5. Staff is waiting on input from FEMA to make revisions consistent with the new
2 maps. FEMA is actually conducting that review for us.

3

4 10-4 FLOOD PROTECTION

5

6

1 VI. TITLE 11, UNIFIED DEVELOPMENT REGULATIONS

2
3 1. Revise multiple areas of code to remove appeal authority from City Council and
4 add it to either the hearing examiner or the PacCo Superior Court.

5
6 11-2A-1: CITY COUNCIL: In addition to other powers and duties prescribed in this code,
7 the city council is vested with the authority to:

- 8
9 A. Approve, approve with conditions or modifications, or deny applications for
10 amendments to the comprehensive plan or this title, amendments to title 12
11 (Zoning), rezones, and annexation by direct petition, after considering the
12 findings and recommendations of the planning commission.
13
14 B. Review findings and recommendations of the planning commission regarding
15 applications.
16
17 C. Base all decisions on the criteria established in this title or other applicable laws.
18
19 D. Require any applicant granted final plat approval to post a bond or other
20 acceptable security with the city to assure the applicant and/or his successors in
21 interest shall adhere to the approved plat and all conditions attached to the final
22 plat approval.
23
24 E. Review and act upon any recommendations of the community development
25 director or planning commission for amendments to or revisions of the
26 comprehensive plan or the provisions of this title.
27
28 ~~F. Hear appeals from hearing examiner and/or administrative permit decisions as~~
29 ~~specified in this title.~~
30
31 FG. Perform other duties as outlined in the latest edition of the “City of Long Beach
32 Shoreline Master Program” and the latest edition of the “City of Long Beach
33 Comprehensive Flood Hazard Management Plan”.
34
35 GH. Perform other duties as outlined in this title.

36
37
38 11-2C-4: PROJECT REVIEW PROCEDURES: The Community Development
39 Director shall have authority to classify any permit not expressly classified or indicated
40 by this title. Review of a proposed action shall be by one of the following procedures, in
41 increasing order of discretion utilized: minor administrative (ministerial), administrative,
42 hearing examiner, or legislative.

- 43
44 D. Legislative review shall be conducted in those circumstances where the city
45 council is exercising its authority as a quasi-judicial decision-making body for
46 actions including and not limited to ~~appeals of hearing examiner decisions~~, final

1 plats, changes to codes, and re-zonings. Substantial to complete discretion may be
2 exercised by the city council as reviewer. Legislative review shall be subject to all
3 permit processing procedures described in subsection 11-2C-3A of this title.
4
5

6 **11-2C-14: APPEALS:**

7 D. Administrative Decisions. An aggrieved person who is a party of record may
8 appeal any final decision of an administrative official to the hearing examiner
9 ~~(except for administrative design review decisions appealed to the city council~~
10 ~~under section 12-10-8 of title 12 [Zoning]).~~ The appeal must be in writing in
11 accordance with this title and shall be filed with the city clerk within fourteen (14)
12 days of the date of the action being appealed. If an open record public hearing was
13 not held as part of the administrative approval, then the hearing examiner shall
14 conduct an open record hearing. Otherwise, the appeal to the hearing examiner
15 shall be a closed record appeal.

16
17 ~~1. When an appeal of an administrative design review decision is made subject~~
18 ~~to procedures of section 12-10-8 of title 12 (Zoning), the city council shall request~~
19 ~~a recommendation from the planning commission before taking action.~~
20

21 E. Planning Commission Decisions. An aggrieved person who is a party of record
22 may appeal a planning commission decision to the ~~hearing examiner-city council~~.
23 The appeal must be in writing in accordance with this Title and shall be filed with
24 the city clerk within fourteen (14) days of the date of the action being appealed. If
25 an open record public hearing was not held as part of the planning commission
26 decision, then the ~~hearing examiner city council~~ shall conduct an open record
27 hearing. Otherwise, the appeal to ~~the the hearing examiner city council~~ shall be a
28 closed record appeal.
29

30 F. Hearing Examiner Decisions. An aggrieved person who is a party of record may
31 appeal a hearing examiner decision to the ~~Pacific County Superior Court~~^[u3] ~~city or~~
32 ~~to the appropriate Shorelines Hearings Board or Growth Management Hearings~~
33 ~~Boardeouncil, if the examiner's decision is not a "final action".~~ The appeal must
34 be in writing in accordance with this title and shall be filed with the city clerk
35 within ~~fourteen (14)~~^[u4] ~~twenty-one (21)~~ days of the date of the action being
36 appealed. If an open record public hearing was not held as part of the hearing
37 examiner decision, then the ~~Pacific County Superior Court -city council~~ shall
38 conduct an open record hearing. Otherwise, the appeal ~~proceeding of the to the~~
39 ~~Pacific County Superior Court city council~~ shall be a closed record appeal. In the
40 case of appeals from Administrative Decisions, all decisions under the Shorelines
41 Management Act, and any other decision of the hearing examiner that is
42 designated in the Long Beach Municipal Code as a final action, the appeal is to:
43

44 1. Pacific County Superior Court if it is subject to the Land Use Petition Act
45 (RCW 36.70C);
46

- 1 2. The Shorelines Hearings Board if it is a Shorelines Management Act decision;
- 2 or
- 3
- 4 3. To the appropriate Growth Management Hearings Board if it is an action
- 5 subject to the Growth Management Act (RCW 36.70A).
- 6
- 7

8 **11-4C-10: APPEALS:** The decision of the hearing examiner on the preliminary plat may
9 be appealed to the Pacific County Superior Court ~~city council~~ in accordance with section
10 11-2C-14 of this title.

14 **2. In combination with the suggested changes for Title 12 to eliminate the Council’s**
15 **quasi-judicial authority to grant an exception or exemption to the City’s design**
16 **requirements, this new provision would still provide a process for obtaining a**
17 **variance from those design requirements, which is consistent with the process for**
18 **obtaining variances from other building code provisions.**

20 11-2D-1: VARIANCES:

22 B. Required Showings, Title 12 Variances: Before any variance may be granted, it shall
23 be shown:

- 24 1. Strict application of the bulk, dimensional or performance standards set forth in
- 25 this title precludes or significantly interferes with a reasonable use of the property
- 26 not otherwise prohibited.
- 27 2. Need for the variance is directly related to the property, and is the result of
- 28 unique conditions such as irregular lot shape, size, or natural features and the
- 29 application of the zoning regulations and not, for example, from deed restrictions
- 30 or the applicant's own actions.
- 31 3. The design of the project is compatible with other permitted activities in the
- 32 area and will not cause adverse effects to adjacent properties.
- 33 4. The requested variance does not constitute a grant of special privilege not
- 34 enjoyed by other properties in the area, and is the minimum necessary to afford
- 35 relief.
- 36 5. The public interest will not suffer any substantial detrimental effect.
- 37 6. To grant a variance from the city's design requirements in Title 12, Chapter 10
- 38 for additions or modifications to existing nonresidential buildings that do not
- 39 conform to the design requirements, the hearing examiner must also take the
- 40 following into consideration:

1 a. The hearing examiner must make an affirmative finding that a strict
2 enforcement of the design requirements would result in a building
3 appearance or site condition substantially incompatible with the existing
4 building.

5 b. No variance from the city's design requirements shall be granted to any
6 nonconforming use.

7 c. No variance from the city's design requirements shall be granted to any
8 structure that is in violation of any bulk, density, or setback standard.

9 d. No variance from the city's design requirements shall be granted for
10 accessory structures on a single property.

11 e. Any proposed addition shall contain at least one common wall to the
12 existing structure.

13 **f.7.** No variance from the city's design requirements shall be granted if:

14 **a.1.** For buildings with an existing floor of one thousand (1,000) square
15 feet or less, the addition exceeds five hundred (500) square feet; or

16 **b.2.** For buildings with an existing floor area greater than one thousand
17 (1,000) square feet, the proposed addition is greater than fifty percent
18 (50%) of the existing building.

19
20
21
22 **3. Add definition of vesting.**

23
24 **11-1-7: INTERPRETATION:**

25
26 D. Definitions: Unless specifically defined below, words or phrases used in this title
27 shall be interpreted so as to give them the meanings they have in common usage and to
28 give this title its most reasonable application. For purposes of this title, the following
29 words and terms shall have the meanings designated in this section:

30
31 **VESTING: A land use application is considered under only the land use statutes and**
32 **ordinances in effect at the time the city deems the application complete.**
33

34
35
36
37 **4. Add language describing vesting.**

38
39 **11-11-11: VESTING OF APPLICATIONS:**

- 1 A. This section applies in the context of building permit applications (RCW 19.27.095),
2 short subdivision and subdivision applications (RCW 58.17.033), development
3 applications, and development agreements (RCW 36.70B.180), [u5]
- 4 B. An application described herein utilizing vested rights shall be subject to all land use
5 and development statutes, regulations, and ordinances in effect on the vesting date.
- 6 AC. Applications shall be considered vested on the date a written determination of
7 completeness is mailed (postmarked) or hand delivered to the applicant or the
8 applicant's designee. The community development director's issuance of a written
9 determination of completeness pursuant to 11-2C-8, or the failure of the community
10 development director to provide such a written notice within twenty-eight (28) days
11 of the date it is mailed or hand delivered, shall cause an application to be conclusively
12 deemed vested.- The applicable date is known as the vesting date.
- 13 BD. Supplemental information required after vesting of a complete application shall
14 not affect the validity of vesting for such application unless the information is
15 requested because incorrect information is submitted by the applicant and if the
16 incorrect information would materially affect the final decision on the application.
- 17 CE. Modifications required by the community development director to a pending
18 application, other than those set forth in subsection D of this section, shall not be
19 deemed a new application and shall not affect vesting.
- 20 DF. An applicant-requested modification occurring either before or after issuance of
21 the permit shall eliminate vesting, when such modification would result in a
22 substantial change in a project's review requirements, as determined by the
23 community development director. Under such a condition, the application will be
24 deemed a new application. Examples of a substantial change include modifications
25 resulting in a different type of decision (e.g., Administrative to Hearing Examiner), or
26 a change requiring a new SEPA threshold determination. Modifications that reduce
27 the scope of a proposal or reduce environmental impacts would not be considered a
28 substantial change.
- 29 G An application that is deemed complete is vested for the specific use, density, and
30 physical development that is identified in the application submittal.
- 31 EH. Building permits that may subsequently be required to construct or complete a
32 vested land use project shall be considered new applications under the building code
33 and shall be subject to the edition of the building code in place at the time application
34 is made.
- 35 FI. Nothing herein shall restrict the community development director's authority to
36 impose conditions on project permits pursuant to the State Environmental Policy Act
37 (SEPA), Chapter 43.21C RCW and Chapter 197-11 WAC.
- 38 GJ. Nothing herein shall be construed to restrict the community development director's
39 ability, to the extent otherwise permitted by law, to apply new regulations to a project
40 permit or project permit application upon a finding that a change in conditions creates
41 a serious threat to the public health and safety.
- 42 K. If the application expires, a new application may be filed with the city but will not be
43 considered vested under the expired application and instead shall be subject to the
44 development regulations in effect on the date of the new application.

45

1 VII. TITLE 12, ZONING REGULATIONS
2

- 3 1. Protect Council from being the primary decision-makers for quasi-judicial
4 actions. This is at the advice of WCIA based on a recent land-use audit. One
5 Councilor has asked if this should be expanded to include residential as well.
6 This is probably a good issue for discussion.
7

8 12-10-3: DESIGN APPROVAL REQUIRED:
9

10 ~~E. — Exceptions: The city council may, at its sole discretion, grant an exception to the~~
11 ~~city's design requirements for additions or modifications to existing nonresidential~~
12 ~~buildings that do not conform to the design requirements. Such an exception will~~
13 ~~be approved upon an affirmative finding that a strict enforcement of said~~
14 ~~requirements would result in a building appearance or site condition substantially~~
15 ~~incompatible with the existing building. In considering any request for exception,~~
16 ~~the city council shall apply the following standards:~~
17

18 ~~1. No exception shall be granted to any nonconforming use.~~

19
20 ~~2. No exception shall be granted to any structure that is in violation of any bulk,~~
21 ~~density, or setback standard.~~
22

23 ~~3. No exception shall be granted if:~~

24
25 ~~a. For buildings with an existing floor of one thousand (1,000) square feet or~~
26 ~~less, the addition exceeds five hundred (500) square feet; or~~
27

28 ~~b. For buildings with an existing floor area greater than one thousand (1,000)~~
29 ~~square feet, the proposed addition is greater than fifty percent (50%) of the~~
30 ~~existing building.~~
31

32 ~~4. No property shall receive more than one exception in a calendar year.~~
33

34 ~~12-10-9: EXEMPTIONS:~~

35 ~~The city council may, at its sole discretion, grant an exemption to the city's design~~
36 ~~requirements for additions or modifications to existing nonresidential buildings that do~~
37 ~~not conform to the design requirements. Such an exemption will be approved upon an~~
38 ~~affirmative finding that a strict enforcement of said requirements would result in a~~
39 ~~building appearance or site condition substantially incompatible with the existing~~
40 ~~building. In considering any request for exemption, the city council shall apply the~~
41 ~~following standards:~~

42 ~~A. No exemption shall be granted to any nonconforming use.~~

1 ~~B. No exemption shall be granted to any structure that is in violation of any bulk, density,~~
2 ~~or setback standard.~~

3 ~~C. No exemption shall be granted if:~~

4 ~~1. For buildings with an existing floor of one thousand (1,000) square feet or less, the~~
5 ~~addition exceeds five hundred (500) square feet; or~~

6 ~~2. For buildings with an existing floor area greater than one thousand (1,000) square feet,~~
7 ~~the proposed addition is greater than fifty percent (50%) of the existing building.~~

8 ~~D. No property shall receive more than one exemption.~~

9 ~~E. No exemption shall be granted for accessory structures on a single property.~~

10 ~~F. The addition shall contain at least one common wall to the existing structure. (Ord.~~
11 ~~849, 8-17-2009)~~

12
13
14
15 **2. Correct bad reference regarding appeals.**

16 **12-3-4: APPEALS:** Appeals of all decisions pertaining to this title are governed by the
17 provisions of section 11-2C-~~13-14~~ of title 11, Unified Development, of the Long Beach
18 City Code.

19
20
21
22 **3. Revise language about appeals to be consistent with new language in Title 11.**

23
24 **12-10-8: APPEAL:** The decision of the approving authority shall be final unless, within
25 fourteen (14) days from the rendering of the decision, the applicant or any other party with
26 standing files an appeal. Appeals of any administrative or planning commission decision
27 shall be made to the ~~city council~~hearing examiner and shall be an open record hearing.
28 Appeals of any hearing examiner ~~city council~~ decision shall be made to Pacific County
29 ~~S~~superior ~~C~~ourt. Appeals shall be conducted pursuant to the procedures set forth in section
30 12-3-4 of this title and section 11-2C-14 of title 11 (Unified Development). [u6]The filing
31 of such an appeal within said time limit shall stay the decision of the city until such time
32 as the appeal has been adjudicated or withdrawn. ~~When any appeal of an administrative~~
33 ~~decision is made, the city council shall request a recommendation from the planning~~
34 ~~commission before taking action.~~

1 **4. Add definition of “camping” to code.**

2
3 12-2-1: TERMS DEFINED:

4
5 CAMPING: A temporary activity of living in a camp, campground, or vehicle. Erecting
6 a tent or shelter or arranging bedding or both for the purpose of, or in such a way as will
7 permit remaining overnight, or parking a trailer, camper, RV, or other vehicle for the
8 purpose of remaining overnight.
9

10
11
12 **5. Define camping, prohibit camping in public areas; explicitly include camping in**
13 **the RV section.**

14
15 **12-11-5: RECREATIONAL VEHICLES AND EQUIPMENT, CAMPING:**

16
17 B. Camping and Use of RVs: No person shall park and occupy a recreational vehicle
18 (RV) nor shall camp, except:

19
20 1. At a duly licensed RV park or campground.

21
22 2. As a guest of a resident, and then only upon private property, and for a period
23 not to exceed fifteen (15) continuous days, or thirty (30) days total in a calendar
24 year.

25
26 3. On private property by the owner for his own use, but not to exceed sixty (60)
27 days in a calendar year. An RV stored on an otherwise vacant lot shall be
28 considered occupied for purposes of this section. An RV connected to water
29 and/or sewer shall also be considered occupied.

30
31 4. No more than two (2) RVs may be used on a lot that is not an RV park. Such
32 RVs may be placed upon a lot for not more than sixty (60) days' total use per year.
33 Each day of use of each RV shall be counted as a day of use. Parking and use of
34 more than two (2) RVs on a lot may be permitted by the city council upon an
35 application to the city council for a special use permit.

36
37 5. Occupancy of a trailer or other recreational equipment not designed to be
38 temporary living accommodations is not permitted. Occupancy of a boat regardless
39 of whether such vessel contains living accommodations is not permitted.

40
41 6. Occupancy of an RV as a manager’s unit shall only be permitted in a licensed
42 RV park or campground, ~~or in the C2 or LI zones, subject to approval by the~~
43 ~~reviewing authority.~~

44
45 7 Parking of all vehicles at a site, including one or more RVs must comport to the
46 requirements of Chapter 12 of this title.

1
2 C. Camping on Public Property. It is unlawful for any person to camp on any City-
3 owned or City-controlled property, any public park, or any public right-of-way.
4

5
6
7 **6. Revise definition of “RV Park”.**
8

9 **12-2-1: TERMS DEFINED:**
10

11 **RECREATIONAL VEHICLE PARK:** Any lot or parcel on which two (2) or more sites
12 are located, established or maintained for itinerant, short-term or long-term occupancy by
13 recreational vehicles or for their storage for a fee ~~as temporary living quarters for recreation~~
14 ~~or vacation purposes~~. Each non-storage site shall include individual connections for
15 electricity and sanitary services. A recreational vehicle park may also include amenities for
16 the use of the occupants, including but not limited to laundry, showers, game room,
17 recreation, or restaurant.
18

19
20
21 **7. Better define the elements and allowable sub-uses of an RV park.**
22

23 **12-11-19: RECREATIONAL VEHICLE PARKS; REQUIREMENTS:**
24

25 A. License Required: No person shall operate a recreational vehicle (RV) park within the
26 corporate limits of the city without first obtaining a business license as required by
27 title 4 (Business and License Regulations), and any necessary approvals required by
28 the zone district in which the property is located, including a conditional use permit
29 and design review.
30

31 **B. Allowable Uses and Use Allocation**

32 1. An RV park may include itinerant, short-term, and long term spaces, as well as
33 storage areas as follows:

34 1a. Itinerant spaces (30 days or less): up to 100% of total spaces; a minimum of
35 50%.

36 1b. Short-term spaces (more than 30 days and less than 4 months): a maximum of
37 50% of total spaces.

38 1c. Long-term spaces (more than 4 months): a maximum of 25% of total spaces.

39 1d. Storage (unoccupied): a maximum of 25% of total spaces.

40 2. Non-conforming Use Allocation. Any non-conforming allocation existing at the
41 time of passage of this ordinance shall be corrected the next time a non-
42 conforming space is occupied. No new non-conforming uses shall be allowed.

43 3. Sunset Date for Existing Non-conforming Use Allocation. Notwithstanding other
44 sections of this code, all existing RV parks shall be made to conform to the
45 allowable use allocation no later than December 31, 2020.
46

1 C. Prohibition on Subletting: The renter(s) of an RV space may not sublet that space to
2 another party.

3
4 D. All RVs located in an RV park must be roadworthy and have current vehicles license
5 plates.

6 1. Under no circumstances will an RV be allowed to be placed on blocks.

7
8 EB. Recreational or Open Space Development:

- 9
10 1. RV parks with an area of ten (10) acres or less shall be required to develop a
11 minimum of ten percent (10%) of the total area for recreational or open space
12 purposes.
13
14 2. RV parks with an area greater than ten (10) acres shall be required to develop a
15 minimum of twenty percent (20%) of the total area for recreational or open space
16 purposes.
17
18 3. The required open space may include amenities for the use of guests, such as
19 recreational facilities and picnic areas. It shall not include the area within the
20 individual RV spaces.
21

22 FC. Off Street Parking: Parking shall be provided as required by chapter 12 of this title.
23

24 GD. Ingress and Egress:

- 25
26 1. Driveways for ingress and egress shall comply with the requirements of section
27 11-5-1(D) of title 11 (Unified Development) and with the requirements of
28 subsection D3 of section 12-12-2 of this title.
29
30 2. Street access shall be limited to driveways serving the entire RV park. All access
31 to individual RV spaces shall be from within the property. The access of an RV
32 space directly from the street shall be prohibited.
33

34 HE. Interior Circulation and Driveways:

- 35
36 1. Interior driveways shall have a width of not less than fifteen feet (15') for a one-
37 way drive and not less than twenty feet (20') for a two-way drive, exclusive of on-
38 site parking.
39
40 2. Driveways and parking surfaces within the park and RV parking sites shall be
41 properly surfaced with gravel or asphalt.
42

43 IF. Landscaping: Landscaping shall be provided as required by chapter 13 of this title.
44 Landscaping shall be provided around the perimeter of the site, to provide screening
45 from the street and adjacent properties and to beautify the park.
46

- 1 1. Wherever possible, existing tree cover and natural vegetation shall be maintained.
- 2
- 3 2. There shall be one (1) tree for every ten (10) RV spaces.
- 4
- 5 3. Any RV park that has more than 10% long-term spaces shall provide a fenced
- 6 area for children to play that is a minimum of 500 square feet, subject to approval
- 7 by the community development director.
- 8

9 **JG.** Fences: Fences may be incorporated into the landscaping design. Chain link fences
10 shall not be used on the perimeter of the site, unless approved by the reviewing
11 authority.

12
13 **KH.** Sanitary Facilities: Sanitary facilities and sewer connections shall be provided as
14 required by section 10-2-3 of title 10 (Building Regulations).

15
16
17
18 **8. Prohibit the enlargement or expansion of a nonconforming use. Currently, the**
19 **code only prohibits the enlargement or expansion of a nonconforming structure**
20 **and prohibits change in a nonconforming use. Common law indicates that courts**
21 **may perceive a change in use to be different from an enlargement or expansion.**

22 12-16-5: EXPANSION OR ALTERATION:

23 No existing nonconforming structure may be enlarged, expanded in use or reconstructed,
24 except to a conforming use in the district. Ordinary maintenance and repair work may be
25 done in nonconforming uses. (Ord. 849, 8-17-2009)

26
27 **No existing nonconforming use activity shall be expanded, enlarged, or altered unless the**
28 **expansion, enlargement, or alteration makes the use more conforming or is required**
29 **by law.**

30
31
32
33 9. **Added at Council request at 2/17 workshop: add all commercially located sheds to**
34 **design review.**

35
36 **12-10-2: SCOPE**

37
38 **B. Activities exempt from Design Review: The following activities shall be exempt**
39 **from the requirements of design review:**

- 40
- 41 1. **Normal maintenance and repair shall be exempt from the requirements of**
- 42 **design review, where there is no change to the exterior appearance of the structure.**
- 43

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2. The replacement of fifty percent (50%) or less of a non-conforming siding material on any single facade shall be considered maintenance. The replacement of more than fifty percent (50%) of the exterior siding material on a single facade shall be considered an alteration and shall comply with the requirements of this chapter including article A.

3. Minor adjustments to dimensions such as railing height or stairs, where necessary to comply with the building code, shall be considered maintenance, provided the design of the replacement feature is otherwise identical to the feature being repaired, and the change is no more than necessary to correct the deficiency.

4. In zones (R1, R1R, R2, R3, R3R, S1 and S2) One accessory building with a gross floor area of one hundred twenty (120) square feet or less may be placed on a lot without meeting the requirements of this chapter, including Article A, provided the structure is placed in the rear of the lot behind the principal building. Additional accessory buildings located in these residential zones, regardless of size and location, shall be subject to all requirements of this chapter. This exemption does not apply to accessory structures located in zones OT, OTW, RC, AC, C1, C2, L1, S3, S3R, S3M, P, PR, or S4.

1 **VIII. TITLE 13, CRITICAL AREAS**

- 2
3 **1. Allow for maintenance of private property in wetlands and buffers, if no net loss.**
4 **Allow people to maintain their property if it includes wetlands.**

5
6 **13-3-9: EXEMPTIONS:** The following developments, activities, or associated uses are
7 exempt from provisions of this title, provided they are consistent with provisions of other
8 applicable local, state, and federal laws and requirements:

- 9 **B. Vegetation management** that is part of ongoing maintenance of uses, facilities,
10 infrastructure, public rights-of-way, or utilities, provided the vegetation management
11 activity does not expand further into the critical area or its buffer is exempt.

1 IX. TITLE 14, ENFORCEMENT
2

3 1. Insert language requiring site access to be obtained from Superior Court.
4

5 14-3-2: ENFORCEMENT METHOD NO. 2: NOTICE OF VIOLATION AND
6 ABATEMENT:
7

8 B. The Notice of Violation and Abatement shall contain the following:
9

10 1. Statement that if the responsible party to whom the Notice of Violation and
11 Abatement is issued fails to submit a Notice of Appeal within fourteen (14)
12 calendar days of issuance or fails to voluntarily abate the nuisance within the time
13 specified in the Notice of Violation and Abatement, the City may abate the
14 nuisance upon issuance of an abatement order or other written permission to
15 access the site for purposes of abatement from the Pacific County Superior Court;
16
17

18 14-3-3: ENFORCEMENT METHOD NO. 3: NOTICE OF VIOLATION, CIVIL
19 PENALTY AND NOTICE THEREOF, ABATEMENT:
20

21 B. The Notice of Violation shall contain the following:
22

23 6. Statement that abatement procedures, as described in this chapter, may be
24 implemented if civil penalties reach more than \$1,000 upon issuance of an
25 abatement order or other written permission to access the site for purposes of
26 abatement from the Pacific County Superior Court;
27
28

29 14-5-1: ABATEMENT PROCESS:
30

31 A. Access. ~~Using any lawful means~~ Upon receiving an abatement order or other
32 written permission to access the subject property from the Pacific County
33 Superior Court, the City may enter upon the subject property or premises and may
34 remove or correct the condition that is subject to abatement. If the owner of the
35 premises does not consent to entry, the City may seek such judicial process as it
36 deems necessary to effect the removal or correction of such condition.
37

MEMORANDUM TO THE CITY OF LONG BEACH

TO: Gayle Borchard, Planning Director
FROM: Darcey Eilers, Attorney
DATE: Thursday, January 29, 2015
RE: Title 5 Code Review

You asked me to review the City of Long Beach's code. The following are my recommendations for amending Title 5, all of which relate to Chapter 1 regarding the SEPA rules. I did not find anything in the remaining chapters of Title 5 that I would recommend changing at this time.

Title 5, Chapter 1 contains a number of references to Washington Administrative Code (WAC) 173, which sets forth the SEPA regulations specifically applicable to the Department of Ecology. To begin, the Model SEPA Ordinance in chapter 173-806 WAC has been repealed, although the Department of Ecology has made it available as "guidance" rather than as a rule. Because WAC 173-806 no longer exists, references to this section are inadequate. Instead, the applicable WACs for the City are contained in WAC 197, which sets forth the generally applicable SEPA rules. I recommend that this chapter be amended to remove most references to WAC 173 and instead reference the applicable section from WAC 197 where necessary or desired.

Here are more specific recommendations. First, in Section 5-1-1(G), regarding time limits for the SEPA process, I would recommend stating something to the effect that the time estimates contained in this section shall not be construed to be mandatory.

Second, the City code currently has Section 5-1-2 on categorical exemptions and then also has Section 5-1-8, similarly regarding categorical exemptions. To reduce confusion and for ease of reference, I suggest that these sections be combined.

Third, I am unsure why the City did not adopt by reference WAC 197-11-440, regarding "EIS Contents," when it adopted a number of other related EIS provisions by reference in Section 5-1-3. Similarly, it is not clear why the City did not adopt by reference WAC 197-11-736, defining "determination of significance (DS)", and 197-11-772, defining "NEPA," when it adopted number of other definitions by reference in Section 5-1-7.

Fourth, the provision on severability is buried in Section 5-1-9 on agency compliance. Because this severability clause seems to stand alone, I recommend that it be given its own separate section.

On a larger scale note, it appears that updates have not been made following the 2014 amendments to the SEPA rules. Of particular interest, these amendments increased the flexible thresholds that local governments may adopt to exempt minor new construction projects from SEPA review, increased the threshold for electric facilities, and improved the efficiency of the environmental checklist. If the City desires to raise these flexible thresholds to the new maximum levels, the SEPA Rules now require certain types of

findings in the ordinance, and the City must be able to demonstrate that the development regulations provide adequate protection of the natural and built environment, including cultural resources, before increasing the threshold levels. WAC 197-11-800(c) sets forth the requirements for raising the exempt levels.

I hope this information has been helpful. Please let me know if you would like additional information or proposed ordinance language.

Respectfully,

Darcey Eilers

1 **III. TITLE 5, HEALTH, SANITATION AND ENVIRONMENT**

2
3 **1. Revise language to remove references to Washington Administrative Code 173; adopt**
4 **additional WACS by reference; make additional changes.**

5
6 **5-1-1: GENERAL REQUIREMENTS:**

7 A. Authority ~~(Washington Administrative Code 173-806-010):~~

8 1. The city adopts this chapter under the state environmental policy act (SEPA), Revised
9 Code of Washington 43.21C.120, and the SEPA rules, Washington administrative code
10 197-11-904.

11 2. This chapter contains the city's SEPA procedures and policies.

12 3. The SEPA rules, Washington administrative code chapter 197-11, must be used in
13 conjunction with this chapter. (1988 Code § 16.04.010)

14 B. Purpose Of Section; Adoption By Reference ~~(Washington Administrative Code 173-806-020):~~
15 This section contains the basic requirements that apply to the SEPA process. The city adopts the
16 following sections of Washington administrative code chapter 197-11 by reference:

17 WAC 197-11-040 Definitions

18 -050 Lead agency

19 -055 Timing of the SEPA process

20 -060 Content of environmental review

21 -070 Limitations on actions during SEPA process

22 -080 Incomplete or unavailable information

23 -090 Supporting documents

24 -100 Information required of applicants

25 (1988 Code § 16.04.020)

26 C. Additional Definitions ~~(Washington Administrative Code 173-806-030):~~ In addition to those
27 definitions contained within Washington administrative code 197-11-700 through 197-11-799,
28 when used in this chapter, the following terms shall have the following meanings, unless the
29 context indicates otherwise:

30 DEPARTMENT: Any division, subdivision or organizational unit of the city established
31 by ordinance, rule or order.

1 EARLY NOTICE: The city's response to an applicant stating whether it considers
2 issuance of a determination of significance likely for the applicant's proposal (mitigated
3 determination of nonsignificance [DNS] procedures).

4 ORDINANCE: The ordinance, resolution or other procedure used by the city to adopt
5 regulatory requirements.

6 SEPA RULES: Washington administrative code chapter 197-11 adopted by the
7 department of ecology. (1988 Code § 16.04.030)

8 D. Designation Of Responsible Official (~~Washington Administrative Code 173-806-040~~):

9 1. For those proposals for which the city is the lead agency, the responsible official shall
10 be the city administrator or such other person as designated in writing by the mayor.
11 (1988 Code § 16.04.040; amd. 2007 Code)

12 2. For all proposals for which the city is the lead agency, the responsible official shall
13 make the threshold determination, supervise scoping and preparation of any required
14 environmental impact statement (EIS) and perform any other functions assigned to the
15 "lead agency" or "responsible official" by those sections of the SEPA rules that were
16 adopted by reference ~~in Washington administrative code 173-806-020.~~

17 3. The city shall retain all documents required by the SEPA rules (Washington
18 administrative code chapter 197-11) and make them available in accordance with Revised
19 Code of Washington chapter 42.17. (1988 Code § 16.04.040)

20 E. Lead Agency Determination And Responsibilities (~~Washington Administrative Code 173-806-~~
21 ~~050~~):

22 1. The department within the city receiving an application for or initiating a proposal that
23 involves a nonexempt action shall determine the lead agency for that proposal under
24 Washington administrative code 197-11-050 and 197-11-922 through 197-11-940, unless
25 the lead agency has been previously determined or the department or agency is in the
26 process of determining the lead agency.

27 2. When the city is the lead agency for a proposal, the department receiving the
28 application shall determine the responsible official who shall supervise compliance with
29 the threshold determination requirements, and if an EIS is necessary, shall supervise
30 preparation of the EIS.

31 3. When the city is not the lead agency for a proposal, all departments of the city shall use
32 and consider, as appropriate, either the DNS or the final EIS of the lead agency in making
33 decisions on the proposal. No city department shall prepare or require preparation of a
34 DNS or EIS in addition to that prepared by the lead agency, unless required under

1 Washington administrative code 197-11-600. In some cases the city may conduct
2 supplemental environmental review under Washington administrative code 197-11-600.

3 4. If the city or any of its departments receives a lead agency determination made by
4 another agency that appears inconsistent with the criteria of Washington administrative
5 code 197-11-922 through 197-11-940, it may object to the determination. Any objection
6 must be made to the agency originally making the determination and resolved within
7 fifteen (15) days of receipt of the determination or the city must petition the department
8 of ecology for a lead agency determination under Washington administrative code 197-
9 11-946 within the fifteen (15) day time period.

10 5. Departments of the city are authorized to make agreements as to lead agency status or
11 shared lead agency duties for proposal under Washington administrative code 197-11-942
12 and 197-11-944; provided, that the responsible official and any department that will incur
13 responsibilities as the result of such agreement approve the agreement.

14 6. Any department making a lead agency determination for a private project shall require
15 sufficient information from the applicant to identify ~~which~~ other agencies have with
16 jurisdiction over the proposal. (That is: Which agencies require nonexempt licenses?)
17 (1988 Code § 16.04.050)

18 F. Transfer Of Lead Agency Status To State Agency (~~Washington Administrative Code 173-806-~~
19 ~~053~~): For any proposal for a private project whether the city would be the lead agency and for
20 which one or more state agencies have jurisdiction, the city's responsible official may elect to
21 transfer the lead agency duties to a state agency. The state agency with jurisdiction appearing
22 first on the priority listing in Washington administrative code 197-11-936 shall be the lead
23 agency and the city shall be the agency with jurisdiction. To transfer lead agency duties, the city's
24 responsible official must transmit a notice of the transfer together with any relevant information
25 available on the proposal to the appropriate state agency with jurisdiction. The responsible
26 official of the city shall also give notice of the transfer to the private applicant and any other
27 agencies with jurisdiction over the proposal. (1988 Code § 16.04.060)

28 G. Time Limits (Washington Administrative Code 197-11-310): The ~~following~~ time limits
29 (expressed in calendar dates) contained in this section shall apply when the city processes
30 licenses for all private projects and those governmental proposals submitted to the city by other
31 agencies~~-. For the purpose of this section, the word "day" shall mean a day upon which the~~
32 city's administrative offices are open for business. These time estimates shall not be construed to
33 be mandatory. (1988 Code § 16.04.070; amd. 2007 Code)

34 1. Categorical Exemptions: The city shall identify whether an action is categorically
35 exempt within seven (7) days of receiving a completed application.

36 2. Threshold Determinations:

1 a. The city should complete threshold determinations that can be based solely
2 upon review of the environmental checklist for the proposal within fifteen (15)
3 days of the date an applicant's adequate application and completed checklist are
4 submitted.

5 b. When the responsible official requires further information from the applicant or
6 consultation with other agencies with jurisdiction:

7 (1) The city should request such further information within fifteen (15)
8 days of receiving an adequate application and completed environmental
9 checklist;

10 (2) The city shall wait no longer than thirty (30) days for a consulted
11 agency to respond;

12 (3) The applicant shall have 180 days to submit additional information
13 requested before the permit application expires.

14 ~~(4)~~ The responsible official should complete the threshold determination
15 within fifteen (15) days of receiving the requested information from the
16 applicant or the consulted agency.

17 c. When the city must initiate further studies, including field investigations, to
18 obtain the information to make the threshold determination, the city should
19 complete the studies within thirty (30) days of receiving an adequate application
20 and a completed checklist.

21 d. The city shall complete threshold determinations on actions where the applicant
22 recommends in writing that an EIS be prepared, because of the probable
23 significant adverse environmental impact(s) described in the application, within
24 fifteen (15) days of receiving an adequate application and completed checklist.
25 (1988 Code § 16.04.070)

26 e. The city may extend the threshold determination to fifteen (15) days after
27 receipt of a changed or clarified proposal, environmental checklist, and/or permit
28 application.

29 H. Additional Timing Considerations ~~(Washington Administrative Code 173-806-058):~~

30 1. For nonexempt proposals, the DNS or draft EIS for the proposal shall accompany the
31 city's staff recommendation to any appropriate advisory body, such as the planning
32 commission.

33 2. If the city's only action on a proposal is a decision on a building permit or other license
34 that requires detailed project plans and specifications, the applicant may request in

1 writing that the city conduct environmental review prior to submission of the detailed
2 plans and specifications. (1988 Code § 16.04.080)

3
4 **5-1-2: CATEGORICAL EXEMPTIONS AND THRESHOLD DETERMINATIONS:**

5 A. Purpose Of Section; Adoption By Reference (~~Washington Administrative Code 173-806-065~~):
6 This section contains the rules for deciding whether a proposal has a probable significant,
7 adverse environmental impact requiring an environmental impact statement (EIS) to be prepared.
8 This section also contains rules for evaluating the impacts of proposals not requiring an EIS. The
9 city adopts the following sections by reference, as supplemented in this ~~section~~chapter:

10 WAC 197-11-300 Purpose of this part

11 -305 Categorical exemptions

12 -310 Threshold determination required

13 -315 Environmental checklist

14 -330 Threshold determination process

15 -335 Additional information

16 -340 Determination of nonsignificance (DNS)

17 -350 Mitigated DNS

18 -360 Determination of significance (DS/initiation of scoping)

19 -390 Effect of threshold determination

20 WAC 197-11-800 Categorical exemptions

21 -880 Emergencies

22 -890 Petitioning DOE to change exemptions

23 (1988 Code § 16.04.090)

24 B. Flexible Thresholds For Categorical Exemptions (~~Washington Administrative Code 173-806-~~
25 ~~070~~): The city establishes the following exempt levels for minor new construction under
26 Washington administrative code 197-11-800~~(1)(b)~~ based on local conditions:

27 1. For residential dwelling units in Washington administrative code 197-11-800(1)(b)(i):
28 up to twenty (20) dwelling units;

1 2. For agricultural structures in Washington administrative code 197-11-800(1)(b)(ii): up
2 to thirty thousand (30,000) square feet;

3 3. For office, school, commercial, recreational, service or storage buildings in
4 Washington administrative code 197-11-800(1)(b)(iii): up to twelve thousand (12,000)
5 square feet and up to forty (40) parking spaces;

6 4. For parking lots in Washington administrative code 197-11-800(1)(b)(iv): up to forty
7 (40) parking spaces;

8 5. For landfills and excavations in Washington administrative code 197-11-800(1)(b)(v):
9 up to five hundred (500) cubic yards. (1988 Code § 16.04.100)

10 C. Exemption Use ~~(Washington Administrative Code 173-806-080):~~

11 1. ~~Each department within the city that~~ When the city receives an application for a license
12 or, in the case of governmental proposals, ~~the a~~ department ~~initiating initiates the a~~
13 proposal, the responsible official shall determine if the application and/or proposal is
14 exempt. The department's determination that a proposal is exempt shall be final and not
15 subject to administrative review. If a proposal is exempt, none of the procedural
16 requirements of this chapter apply to the proposal. The city shall not require completion
17 of an environmental checklist for an exempt proposal.

18 2. In determining whether or not a proposal is exempt, the ~~department responsible official~~
19 shall make certain the proposal is properly defined and shall identify the governmental
20 licenses required (Washington administrative code 197-11-060). If a proposal includes
21 exempt and nonexempt action, the department shall determine the lead agency, even if
22 the license application that triggers the department's consideration is exempt.

23 3. If a proposal includes both exempt and nonexempt actions, the city may authorize
24 exempt actions prior to compliance with the procedural requirements of this chapter,
25 except that:

26 a. The city shall not give authorization for:

27 (1) Any nonexempt action,

28 (2) Any action that would have an adverse environmental impact,

29 (3) Any action that would limit the choice of alternatives;

30 b. A department may withhold approval of an exempt action that would lead to
31 modification of the physical environment, when such modification would serve
32 no purpose if nonexempt action(s) were not approved; and

1 c. A department may withhold approval of exempt actions that would lead to
2 substantial financial expenditures by a private applicant when the expenditures
3 would serve no purpose if nonexempt action(s) were not approved. (1988 Code §
4 16.04.110)

5 D. Environmental Checklist (~~Washington Administrative Code 173-806-090~~): A completed
6 environmental checklist in the form provided in Washington administrative code 197-11-960
7 shall be filed at the same time as an application for a permit, license, certificate, or other
8 approval not specifically exempted in this chapter; except, a checklist is not needed if the city
9 and applicant agree an EIS is required, SEPA compliance has been completed, or SEPA
10 compliance has been initiated by another agency. The city shall use the environmental checklist
11 to determine the lead agency and, if the city is the lead agency, for determining the responsible
12 official and for making the threshold determination. (1988 Code § 16.04.120)

13 E. Mitigated DNS (~~Washington Administrative Code 173-806-100~~):

14 1. As provided in this section and Washington administrative code 197-11-350, the
15 responsible official may issue a DNS based on conditions attached to the proposal by the
16 responsible official or on changes to, or clarification of, the proposal made by the
17 applicant.

18 2. An applicant may request in writing early notice of whether a DS is likely under
19 Washington administrative code 197-11-350. The request must:

20 a. Follow submission of a permit application and environmental checklist for a
21 nonexempt proposal for which the department is lead agency; and

22 b. Precede the city's actual threshold determination for the proposal.

23 3. The responsible official should respond to the request for early notice within seven (7)
24 working days. The response shall:

25 a. Be written;

26 b. State whether the city currently considers issuance of a DS likely and, if so,
27 indicate the general or specific area(s) of concern that is/are leading the city to
28 consider a DS; and

29 c. State that the applicant may change or clarify the proposal to mitigate the
30 indicated impacts, revising the environmental checklist and/or permit application
31 as necessary to reflect the changes or clarification.

32 4. As much as possible, the city should assist the applicant with identification of impacts
33 to the extent necessary to formulate mitigation measures.

1 5. When an applicant submits a changed or clarified proposal, along with a revised or
2 amended environmental checklist, the city shall base its threshold determination on the
3 changed or clarified proposal and should make the determination within fifteen (15) days
4 of receiving the changed or clarified proposal:

5 a. If the city indicated specific mitigation measures in its response to the request
6 for early notice, and the applicant changed or clarified the proposal to include
7 those specific mitigation measures, the city shall issue and circulate a DNS under
8 Washington administrative code 197-11-340(2).

9 b. If the city indicated areas of concern, but did not indicate specific mitigation
10 measures that would allow it to issue a DNS, the city shall make the threshold
11 determination, issuing a DNS or DS as appropriate.

12 c. The applicant's proposed mitigation measures (clarifications, changes or
13 conditions) must be in writing and must be specific. For example, proposals to
14 "control noise" or "prevent storm water runoff" are inadequate, whereas proposals
15 to "muffle machinery to X decibel" or construct two hundred foot (200') storm
16 water retention pond at Y location are adequate.

17 d. Mitigation measures which justify issuance of a mitigated DNS may be
18 incorporated in the DNS by reference to agency staff reports, studies or other
19 documents.

20 6. The mitigated DNS issued under Washington administrative code 197-11-340(2)
21 requires a fifteen (15) day comment period and public notice.

22 7. Mitigation measures incorporated in the mitigated DNS shall be deemed conditions of
23 approval of the permit decision and may be enforced in the same manner as any term or
24 condition of the permit, or enforced in any manner specifically prescribed by the city.

25 8. If the city's tentative decision on a permit or approval does not include mitigation
26 measures that were incorporated in a mitigated DNS for the proposal, the city should
27 evaluate the threshold determination to assure consistency with Washington
28 administrative code 197-11-340(3)(a) (withdrawal of DNS).

29 9. The city's written response under subsection E2 of this section shall not be construed as
30 a determination of significance. In addition, preliminary discussion of clarifications or
31 changes to a proposal, as opposed to a written request for early notice, shall not bind the
32 city to consider the clarifications or changes in its threshold determination. (1988 Code §
33 16.04.130)

34 **5-1-3: ENVIRONMENTAL IMPACT STATEMENT (EIS):**

1 A. Purpose Of Section; Adoption By Reference (~~Washington Administrative Code 173-806-110~~):
2 This section contains the rules for preparing environmental impact statements. The city adopts
3 the following sections by reference, as supplemented by this section:

4 WAC 197-11-400 Purpose of EIS

5 -402 General requirements

6 -405 EIS types

7 -406 EIS timing

8 -408 Scoping

9 -410 Expanded scoping (optional)

10 -420 EIS preparation

11 -425 Style and size

12 -430 Format

13 -435 Cover letter or memo

14 -440 EIS Contents

15 -442 Contents of EIS on nonproject proposals

16 -443 EIS contents when prior nonproject EIS

17 -444 Elements of the environment

18 -448 Relationship of EIS to other considerations

19 -450 Cost-benefit analysis

20 -455 Issuance of DEIS

21 -460 Issuance of FEIS

22 (1988 Code § 16.04.140; amd. 2007 Code)

23 B. EIS Preparation; Additional Considerations (~~Washington Administrative Code 173-806-120~~):

24 1. Preparation of draft and final EISs (DEIS and FEIS) and draft and final supplemental
25 EISs (SEIS) is the responsibility of the city administrator. Before the city issues an EIS,
26 the responsible official shall be satisfied that it complies with this chapter and
27 Washington administrative code chapter 197-11.

1 2. The DEIS and FEIS or draft and final SEIS shall be prepared by city staff, the
2 applicant, or by a consultant selected by the city or the applicant. If the responsible
3 official requires an EIS for a proposal and determines that someone other than the city
4 will prepare the EIS, the responsible official shall notify the applicant of the city's
5 procedure for EIS preparation, including approval of the DEIS and FEIS prior to
6 distribution.

7 3. The city may require an applicant to provide information the city does not possess,
8 including specific investigations. However, the applicant is not required to supply
9 information that is not required under this chapter or that is being requested from another
10 agency. (1988 Code § 16.04.150)

11 **5-1-4: COMMENTING:**

12 A. Purpose Of Section; Adoption By Reference (~~Washington Administrative Code 173-806-128~~):
13 This section contains rules for consulting, commenting and responding on all environmental
14 documents under SEPA, including the rules for public notice and hearings. The city adopts the
15 following sections by reference, as supplemented in this ~~section~~chapter:

- 16 WAC 197-11-500 Purpose of this part
17 -502 Inviting comment
18 -504 Availability and cost of environmental documents
19 -508 SEPA register
20 -535 Public hearings and meetings
21 -545 Effect of no comment
22 -550 Specificity of comments
23 -560 FEIS response to comments
24 -570 Consulted agency costs to assist lead agency

25 (1988 Code § 16.04.160)

26 B. Public Notice (~~Washington Administrative Code 173-806-130~~): Whenever the city issues a
27 DNS under Washington administrative code 197-11-340(2) or a DS under Washington
28 administrative code 197-11-360(3), the city shall give public notice as follows:

- 29 1. If public notice is required for a nonexempt license, the notice shall state whether a DS
30 or DNS has been issued and when comments are due.

1 2. If ~~no~~ ^[u1] public notice is required for the permit or approval, the city shall give notice of
2 the DNS or DS by:

3 a. Posting the property, for site specific proposals;

4 b. Publishing notice in a newspaper of general circulation in the county, city or
5 general area where the proposal is located.

6 3. Whenever the city issues a DS under Washington administrative code 197-11-360(3),
7 the city shall state the scoping procedure for the proposal in the DS as required in
8 Washington administrative code 197-11-620, notice of the availability of those
9 documents shall be given by:

10 a. Indicating the availability of the DEIS in any public notice required for a
11 nonexempt license; and

12 b. Posting the property, for site specific proposals;

13 c. Publishing notice in a newspaper of general circulation in the county, city or
14 general area where the proposal is located.

15 4. Whenever possible, the city shall integrate the public notice required under this
16 subsection with existing notice procedures for the city's nonexempt permit(s) or
17 approval(s) required for the proposal.

18 5. The city may require an applicant to complete the public notice requirements for the
19 applicant's proposal at his or her expense. (1988 Code § 16.04.170)

20 6. Documents which are required to be sent to the department of ecology under the
21 chapter 197-11 WAC will be published in the SEPA register, which will also constitute a
22 form of public notice. However, publication in the SEPA register shall not, in itself, meet
23 compliance with this section.

24 C. Consulted Agency Responsibilities ~~(Washington Administrative Code 173-806-140):~~

25 1. The city administrator shall be responsible for preparation of written comments for the
26 city in response to a consultation request prior to a threshold determination, participation
27 in scoping, and reviewing a DEIS.

28 2. The city administrator shall be responsible for the city's compliance with Washington
29 administrative code 197-11-550 whenever the city is a consulted agency and is authorized
30 to develop operating procedures that will ensure that responses to consultation requests
31 are prepared in a timely fashion and include data from all appropriate departments of the
32 city. (1988 Code § 16.04.180)

1 **5-1-5: EXISTING ENVIRONMENTAL DOCUMENT USE:**

2 A. Purpose Of Section; Adoption By Reference (~~Washington Administrative Code 173-806-150~~):

3 This section contains rules for using and supplementing existing environmental documents
4 prepared under SEPA or national environmental policy act (NEPA) for the city's own
5 environmental compliance. The city adopts the following sections by reference:

6 WAC 197-11-600 When to use existing environmental documents

7 -610 Use of NEPA documents

8 -620 Supplemental environmental impact statement--procedures

9 -625 Addenda--procedures

10 -630 Adoption--procedures

11 -635 Incorporation by reference--procedures

12 -640 Combining documents

13 (1988 Code § 16.04.190)

14 **5-1-6: SEPA AND AGENCY DECISIONS:**

15 A. Purpose Of Section; Adoption By Reference (~~Washington Administrative Code 173-806-155~~):

16 This section contains rules (and policies) for SEPA's substantive authority, such as decisions to
17 mitigate or reject proposals as a result of SEPA. This subsection also contains procedures for
18 appealing SEPA determinations to agencies or the courts. The city adopts the following sections
19 by reference:

20 WAC 197-11-650 Purpose of this part

21 -655 Implementation

22 -660 Substantive authority and mitigation

23 -680 Appeals

24 (1988 Code § 16.04.200)

25 B. Substantive Authority (~~Washington Administrative Code 173-806-160~~):

26 1. The policies and goals set forth in this chapter are supplementary to those in the
27 existing authorization of the city.

28 2. The city may attach conditions to a permit or approval for a proposal so long as:

1 a. Such conditions are necessary to mitigate specific probable adverse
2 environmental impacts identified in environmental documents prepared pursuant
3 to this chapter; and

4 b. Such conditions are in writing; and

5 c. The mitigation measures included in such conditions are reasonable and
6 capable of being accomplished; and

7 d. The city has considered whether other local, state or federal mitigation
8 measures applied to the proposal are sufficient to mitigate the identified impacts;
9 and

10 e. Such conditions are based on one or more policies in subsection B4 of this
11 section and cited in the license or other decision document.

12 3. The city may deny a permit or approval for a proposal on the basis of SEPA so long as:

13 a. A finding is made that approving the proposal would result in probable
14 significant adverse environmental impacts that are identified in an FEIS or final
15 SEIS prepared pursuant to this chapter; and

16 b. A finding is made that there are no reasonable mitigation measures capable of
17 being accomplished that are sufficient to mitigate the identified impact; and

18 c. The denial is based on one or more policies identified in subsection B4 of this
19 section and identified in writing in the decision document.

20 4. The city designates and adopts by reference the following policies as the basis for the
21 city exercise of authority pursuant to this subsection:

22 a. The city shall use all practicable means, consistent with other essential
23 considerations of state policy, to improve and coordinate plans, functions,
24 programs and resources to the end that the state and its citizens may:

25 (1) Fulfill the responsibilities of each generation as trustee of the
26 environment for succeeding generations;

27 (2) Assure for all people of Washington safe, healthful, productive, and
28 aesthetically and culturally pleasing surroundings;

29 (3) Attain the widest range of beneficial uses of the environment without
30 degradation, risk to health or safety, or other undesirable and unintended
31 consequences;

1 (4) Preserve important historic, cultural and natural aspects of our national
2 heritage;

3 (5) Maintain, wherever possible, an environment which supports diversity
4 and variety of individual choice;

5 (6) Achieve a balance between population and resource use which will
6 permit high standards of living and a wide sharing of life's amenities; and

7 (7) Enhance the quality of renewable resources and approach the
8 maximum attainable recycling of depletable resources.

9 b. The city recognizes that each person has a fundamental and inalienable right to
10 a healthful environment and that each person has a responsibility to contribute to
11 the preservation and enhancement of the environment. (1988 Code § 16.04.210)

12 C. Appeal To Local Legislative Body: No appeal to the local legislative body shall be allowed.
13 (1988 Code § 16.04.220)

14 **5-1-7: DEFINITIONS:**

15 A. Purpose Of Section; Adoption By Reference (~~Washington Administrative Code 173-806-175~~):
16 This section contains uniform usage and definitions of terms under SEPA. The city adopts the
17 following sections by reference, as supplemented by Washington administrative code 173-806-
18 040^[u2]:

19 WAC 197-11-700 Definitions

20 -702 Act

21 -704 Action

22 -706 Addendum

23 -708 Adoption

24 -710 Affected tribe

25 -712 Affecting

26 -714 Agency

27 -716 Applicant

28 -718 Built environment

29 -720 Categorical exemption

1	721	Closed record appeal
2	-722	Consolidated appeal
3	-724	Consulted agency
4	-726	Cost-benefit analysis
5	-728	County/city
6	-730	Decision maker
7	-732	Department
8	-734	Determination of nonsignificance (DNS)
9	<u>-736</u>	<u>Determination of significance (DS)</u>
10	-738	EIS
11	-740	Environment
12	-742	Environmental checklist
13	-744	Environmental document
14	-746	Environmental review
15	-750	Expanded scoping
16	-752	Impacts
17	-754	Incorporation by reference
18	-756	Lands covered by water
19	-758	Lead agency
20	-760	License
21	-762	Local agency
22	-764	Major action
23	-766	Mitigated DNS
24	-768	Mitigation
25	-770	Natural environment

- 1 -772 NEPA
- 2 -774 Nonproject
- 3 -776 Phased review
- 4 -778 Preparation
- 5 -780 Private project
- 6 -782 Probable
- 7 -784 Proposal
- 8 -786 Reasonable alternative
- 9 -788 Responsible official
- 10 -790 SEPA
- 11 -792 Scope
- 12 -793 Scoping
- 13 -794 Significant
- 14 -796 State agency
- 15 -797 Threshold determination
- 16 -799 Underlying governmental action

17 (1988 Code § 16.04.230; amd. 2007 Code)

18 ~~**5-1-8: CATEGORICAL EXEMPTIONS:**~~

19 ~~A. Purpose Of Section; Adoption By Reference (Washington Administrative Code 173-806-180):~~
20 ~~The city adopts by reference the following rules for categorical exemptions, as supplemented in~~
21 ~~this chapter, including Washington administrative code 173-806-070 (flexible thresholds), 173-~~
22 ~~806-080 (use of exemptions), and 173-806-190 (critical areas):~~

- 23 ~~WAC 197-11-800—Categorical exemptions~~
- 24 ~~-880—Emergencies~~
- 25 ~~-890—Petitioning DOE to change exemptions~~

26 (1988 Code § 16.04.240; amd. 2007 Code)

1 **5-1-89: AGENCY COMPLIANCE:**

2 A. Purpose Of Section; Adoption By Reference ~~(Washington Administrative Code 173-806-185):~~

3 This subsection contains rules for agency compliance with SEPA, including rules for charging
4 fees under the SEPA process, designating environmentally sensitive areas, listing agencies with
5 environmental expertise, selecting the lead agency, and applying these rules to current agency
6 activities. The city adopts the following sections by reference, as supplemented by Washington
7 administrative code 173-806-045 through 173-806-043 and this section:

8 WAC 197-11-900 Purpose of this part

9 -902 Agency SEPA policies

10 -916 Application to ongoing actions

11 -920 Agencies with environmental expertise

12 -922 Lead agency rules

13 -924 Determining the lead agency

14 -926 Lead agency for governmental proposals

15 -928 Lead agency for public and private proposals

16 -930 Lead agency for private projects with one agency with jurisdiction

17 -932 Lead agency for private projects requiring licenses from more than one
18 agency, when one of the agencies is a county/city

19 -934 Lead agency for private projects requiring licenses from a local agency,
20 not a county/city, and one or more state agencies

21 -936 Lead agency for private projects requiring licenses from more than one
22 state agency

23 -938 Lead agencies for specific proposals

24 -940 Transfer of lead agency status to a state agency

25 -942 Agreements of lead agency status

26 -944 Agreements on division of lead agency duties

27 -946 DOE resolution of lead agency disputes

28 -948 Assumption of lead agency status

1 (1988 Code § 16.04.250)

2 B. Fees (~~Washington Administrative Code 173-806-200~~): The city shall require the following
3 fees for its activities in accordance with the provisions of this chapter: (1988 Code § 16.04.260)

4 1. Threshold Determination: For every environmental checklist, the city shall collect a fee
5 of one hundred dollars (\$100.00) from the proponent of the proposal prior to undertaking
6 the threshold determination. The time periods provided by this chapter for making a
7 threshold determination shall not begin to run until payment of the fee. (1988 Code §
8 16.04.260; amd. 2007 Code)

9 2. Environmental Impact Statement:

10 a. When the city is the lead agency for a proposal requiring an EIS and the
11 responsible official determines that the EIS shall be prepared by employees of the
12 city, the city may charge and collect a reasonable fee from any applicant to cover
13 costs incurred by the city in preparing the EIS. The responsible official shall
14 advise the applicant(s) of the projected costs for the EIS prior to actual
15 preparation; the applicant shall post bond or otherwise ensure payment of such
16 costs.

17 b. The responsible official may determine that the city will contract directly with a
18 consultant for preparation of an EIS, or a portion of the EIS, for activities initiated
19 by some person or entity other than the city and may bill such costs and expenses
20 directly to the applicant. The city may require the applicant to post bond or
21 otherwise ensure payment of such costs. Such consultants shall be selected by
22 mutual agreement of the city and applicant after a call for proposals.

23 c. If a proposal is modified so that an EIS is no longer required, the responsible
24 official shall refund any fees collected under subdivision B2a or B2b of this
25 section which remain after incurred costs are paid.

26 3. The city may collect a reasonable fee from an applicant to cover the cost of meeting
27 the public notice requirements of this chapter relating to the applicant's proposal.

28 4. The city may charge any person for copies of any document prepared under this
29 chapter, and for mailing the document, in a manner provided by Revised Code of
30 Washington chapter 42.17. (1988 Code § 16.04.260)

31 ~~C. Severability (Washington Administrative Code 173-806-220): If any provision of this chapter
32 or its application to any person or circumstance is held invalid, the remainder of this chapter, or
33 the application of the provision to other persons or circumstances, shall not be affected. (1988
34 Code § 16.04.270)~~_[u3]

1 **5-1-~~910~~: FORMS:**

2 A. Adoption By Reference (Washington Administrative Code 173-806-230): The city adopts the
3 following forms and sections by reference:

4 WAC 197-11-960 Environmental checklist

5 -965 Adoption notice

6 -970 Determination of nonsignificance (DNS)

7 -980 Determination of significance and scoping notice (DS)

8 -985 Notice of assumption of lead agency status

9 -990 Notice of action

10 (1988 Code § 16.04.280)

11 **5-1-10: SEVERABILITY**

12 A. If any provision of this chapter or its application to any person or circumstance is held invalid,
13 the remainder of this chapter, or the application of the provision to other persons or
14 circumstances, shall not be affected. (1988 Code § 16.04.270)

TAB

B

TAB

B



**CITY COUNCIL
WORKSHOP BILL
WS 15-08**

Meeting Date: March 16, 2015

AGENDA ITEM INFORMATION

SUBJECT: City Crew part time to full time Discussion	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	Finance Director	DG
	City Engineer	
	Community Development Director	
	Events Coordinator	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	MK
COST: \$13,170	Water/Wastewater Supervisor	

SUMMARY STATEMENT: Every year the city hires multiple part time employees for the summer months. We have a returning employee that has worked with us for last five years, runs heavy equipment and has proven to be a good reliable worker. Mike would like to bring him on full time starting this year, but didn't include the position in his budget. With the cost savings related to changing staff in the office, this would be a good time to address Mike's needs. The \$13,170 cost is related to the amount of Salary and benefit difference from April through the end of the year.

TAB

C

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C

LONG BEACH CITY COUNCIL MEETING

MARCH 2, 2015

CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Andrew 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 Mayor Andrew, C. Linhart, C. Hanson, C. Perez, and C. Murry, present. C. Phillips was absent.

CONSENT AGENDA

Minutes, February 17, 2015 Regular City Council meeting

Payment Approval List for Warrant Registers 55089 - 55135 & 77563 - 77614 for \$147,378.48

C. Linhart made the motion to approve the consent agenda with C. Hanson seconding the motion. 4 Ayes 0 Nays 0 Abstain 1 Absent (C. Phillips), motion passed.

BUSINESS

AB 15-17 Gazebo Roof Repairs

Gene Miles, City Administrator, presented the agenda bill. Agenda item is in regards to the planned repair of the gazebo and the approval of quote from CSB Construction. **C. Linhart made the motion to approve the agenda bill with C. Hanson seconding the motion. 4 Ayes 0 Nays 0 Abstain 1 Absent (C. Phillips), motion passed.**

AB 15-18 Surplus Vehicle

Mayor Andrew presented the agenda bill. Agenda item is in regards to declaring the 1985 International Trolley as surplus in order to advertise, take bids, or turn over to a consignment vendor. **C. Hanson made the motion to pass the agenda bill with C. Linhart seconding the motion. 4 Ayes 0 Nays 0 Abstain 1 Absent (C. Phillips), motion passed.**

AB 15-19 Special Saturday Sale September 5th, 2015 Columbia Pacific Farmers Market

Ragan Myers, Tourism and Events Coordinator, presented the agenda bill. Agenda item is in regards to the approval of a special Saturday sale on Labor Day weekend 2015. **C. Linhart made the motion to pass the agenda bill with C. Hanson seconding the motion. 3 Ayes 1 Nays 0 Abstain 1 Absent (C. Phillips), motion passed.**

ORAL REPORTS

C. Linhart, C. Hanson, C. Perez, Mayor Andrew, Gene Miles, City Administrator, and Ragan Myers, Tourism and Events Coordinator, presented reports.

CORRESPONDENCE AND WRITTEN REPORTS

- Correspondence – Loyalty Days invitation from Mayor Andrew
- Correspondence – Lodging and Sales Tax for February
- Correspondence – Tent colors
- Correspondence – Trail funding update
- Correspondence – VB monthly report
- Correspondence – Follow up from Gayle on Code Updates
- Business License – Imperial Schooner; 101 Pacific Ave Spc #3
- Business License – Shamrock Food Co; Gresham, OR
- Business License – Bliss Construction; Seaview, WA
- Business License – S & S Thai Family LLC (restaurant); 509 Pacific Ave S
- Business License - Clarke Construction, LLC; Ilwaco, WA

PUBLIC COMMENT

Don Green of Sandcastle RV Park spoke on proposed code changes to RV Parks.

George Beven spoke on proposed code changes to RV Parks.

ADJOURNMENT

Mayor Andrew adjourned the meeting. The meeting was adjourned at 7:14 p.m.

Mayor

ATTEST:

City Clerk



Warrant Register

Check Periods: 2015 - March - 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.

Council Member Council Member Council Member Finance Director

Number	Name	Print Date	Clearing Date	Amount
55136	Andrew, Robert E.	3/5/2015		\$395.45
55137	Bell, Helen S	3/5/2015		\$1,225.84
55138	Birion, Jacob	3/5/2015		\$1,547.10
55139	Bonney, Matthew T	3/5/2015		\$1,497.12
55140	Booi, Kristopher A	3/5/2015		\$1,344.16
55141	Borchard, Gayle	3/5/2015		\$1,635.21
55142	Cutting, Jeffrey G.	3/5/2015		\$2,220.69
55143	Ellyson, Susan R	3/5/2015		\$1,120.23
55144	Fitzgerald, Rick E.	3/5/2015		\$1,442.65
55145	Payroll Vendor	3/5/2015		Void
55146	Glasson, David R.	3/5/2015		\$2,593.72
55147	Goulter, John R.	3/5/2015		\$1,542.71
55148	Gray, Karen	3/5/2015		\$149.30
55149	Hanson, Natalie	3/5/2015		\$262.81
55150	Huff, Timothy M.	3/5/2015		\$1,501.65
55151	Kaino, Kris	3/5/2015		\$1,015.75
55152	Kirby, Gary E	3/5/2015		\$821.95
55153	Kitzman, Michael	3/5/2015		\$2,058.11
55154	Linhart, Steven P	3/5/2015		\$266.95
55155	Luethe, Paul J	3/5/2015		\$1,457.50
55156	Meling, Casey K	3/5/2015		\$1,753.63
55157	Miles, Eugene S	3/5/2015		\$2,587.97
55158	Mortenson, Tim	3/5/2015		\$2,157.97
55159	Murry, Del R	3/5/2015		\$266.95
55160	Myers, Ragan S.	3/5/2015		\$1,460.29
55161	Nawn, Rodney J.	3/5/2015		\$1,867.03
55162	Ostgaard, Loretta G	3/5/2015		\$1,417.32
55163	Padgett, Timothy J	3/5/2015		\$1,377.75
55164	Parker, Michael T	3/5/2015		\$2,014.80

Execution Time: 5 second(s)

Printed by CLB1\HelenB on 3/13/2015 11:16:28 AM
Register

Number	Name	Print Date	Clearing Date	Amount
55165	Perez, Arthur Mark	3/5/2015		\$185.75
55166	Phillips, Gerald S	3/5/2015		\$266.95
55167	Quither, Jonathan H	3/5/2015		\$957.47
55168	Russum, Richard	3/5/2015		\$1,737.30
55169	Wamer, Ralph D.	3/5/2015		\$2,014.07
55170	Wright, Flint R	3/5/2015		\$2,425.07
55171	Zuern, Donald D.	3/5/2015		\$2,119.56
55172	Gilbertson, Bradley K	3/5/2015		\$1,489.47
55173	AFLAC	3/9/2015		\$209.88
55174	Association of WA Cities	3/9/2015		\$23,488.98
55175	City of Long Beach - Fica	3/9/2015		\$10,855.92
55176	City of Long Beach - FWH	3/9/2015		\$8,771.34
55177	Council Gift Fund	3/9/2015		\$60.00
55178	Dept of Labor & Industries	3/9/2015		\$2,031.21
55179	Dept of Retirement Systems	3/9/2015		\$9,388.21
55180	Dept of Retirement Systems Def Comp	3/9/2015		\$1,150.00
55181	Massmutual Retirement Services	3/9/2015		\$475.00
55182	Teamsters Local #58	3/9/2015		\$182.00
77615	Postmaster	3/2/2015		\$410.40
77616	Hach Company	3/4/2015		\$1,372.12
77617	Myers, Ragan	3/5/2015		\$454.25
77618	Haskin, Katie	3/5/2015		\$1,016.60
77619	Tangly Cottage Garden	3/5/2015		\$256.03
77620	Discovery Development	3/5/2015		\$5,850.00
77622	Classic Trolley	3/6/2015		\$9,530.00
77623	Tse, Brian P	3/9/2015		\$536.11
77624	Borchard, Gayle	3/9/2015		\$71.95
77625	Ellyson, Sue	3/9/2015		\$49.71
77626	Myers, Ragan	3/9/2015		\$126.20
77627	Nawn, Rodney	3/9/2015		\$56.00
77628	Pacific County Auditor	3/9/2015		\$32.00
77629	SUNSET AUTO PARTS, INC	3/9/2015		\$1,325.65
77630	Verizon Wireless	3/9/2015		\$137.33
77631	Wright, Flint	3/9/2015		\$56.00
77632	SUNSET AUTO PARTS, INC	3/9/2015		\$1,299.14
77633	S & D Truck Service, Inc	3/10/2015		\$3,238.18
77634	Aiken, James	3/11/2015		\$24.12
77635	Bardonski, Cory	3/11/2015		\$36.18
77636	Bonney, Matt	3/11/2015		\$12.06
77637	Caldwell, Tye	3/11/2015		\$12.06
77638	Lopez, Daniel	3/11/2015		\$48.24
77639	Luce, Tosha	3/11/2015		\$12.06
77640	Mortenson, Jared	3/11/2015		\$12.06
77641	Williams, David	3/11/2015		\$48.24
77642	A-1 Redi Mix	3/13/2015		\$1,958.19
77643	Airgas USA LLC	3/13/2015		\$24.62

Number	Name	Print Date	Clearing Date	Amount
77644	AlSCO-American Linen Div.	3/13/2015		\$254.11
77645	Astoria Janitor & Paper Supply	3/13/2015		\$370.92
77646	Bailey's Saw Shop	3/13/2015		\$12.93
77647	BMC WELDING	3/13/2015		\$168.17
77648	BSK Associates	3/13/2015		\$215.00
77649	C.W. Nielsen Mfg. Corp.	3/13/2015		\$2,904.13
77650	Cascade Columbia Distribution CO	3/13/2015		\$2,526.28
77651	Chinook Observer	3/13/2015		\$354.66
77652	CHINOOK SALES & RENTALS	3/13/2015		\$1,899.07
77653	Clatsop Power Equipment	3/13/2015		\$1.65
77654	Coast Rehabilitation Services	3/13/2015		\$292.00
77655	Code 4 Public Safety Education Assoc, Inc	3/13/2015		\$99.00
77656	CRUISE MASTER PRISMS	3/13/2015		\$23.30
77657	CURRAN-MCLEOD, INC	3/13/2015		\$2,640.00
77658	Davis, Lynn	3/13/2015		\$100.41
77659	Dennis Company	3/13/2015		\$445.21
77660	Dept of Ecology	3/13/2015		\$8,440.19
77661	Englund Marine Supply	3/13/2015		\$283.28
77662	Evergreen Rural Water of WA	3/13/2015		\$450.00
77663	Evergreen Septic Service	3/13/2015		\$1,645.06
77664	Ferguson Enterprises, Inc #3001	3/13/2015		\$354.21
77665	Fire Extinguisher Service Ctr	3/13/2015		\$1,286.04
77666	Ford Electric	3/13/2015		\$2,923.32
77667	Goodyear Tire & Rubber Co.	3/13/2015		\$892.73
77668	H. D. FOWLER	3/13/2015		\$5,183.69
77669	Hach Company	3/13/2015		\$2,856.89
77670	Haskin, Katie	3/13/2015		\$121.00
77671	IBS, Inc.	3/13/2015		\$476.77
77672	Interstate Battery	3/13/2015		\$121.76
77673	K & L Supply, Inc.	3/13/2015		\$1,400.31
77674	Kevmarc	3/13/2015		\$1,875.00
77675	Kulbel, Jim	3/13/2015		\$85.41
77676	Lawson Products, Inc.	3/13/2015		\$719.21
77677	National Fire Protection Assoc	3/13/2015		\$300.00
77678	Oman & Son Builders	3/13/2015		\$626.01
77679	One Call Concepts, Inc.	3/13/2015		\$17.16
77680	Pacific Art & Office Supply	3/13/2015		\$41.31
77681	Pacific Office Automation	3/13/2015		\$2,991.59
77682	Peninsula Landscape Supply	3/13/2015		\$210.21
77683	Peninsula Sanitation	3/13/2015		\$1,355.45
77684	Peninsula Visitors Bureau	3/13/2015		\$15,450.00
77685	Penoyar, William	3/13/2015		\$1,000.00
77686	Planter Box	3/13/2015		\$8.60
77687	Powell, Seiler & Co., P.S	3/13/2015		\$550.00
77688	Sid's Iga	3/13/2015		\$46.31
77689	Snap ON Tools	3/13/2015		\$319.25

Number	Name	Print Date	Clearing Date	Amount
77690	South District Court	3/13/2015		\$2,333.14
77691	South Pacific County Technical	3/13/2015		\$5,000.00
77692	Total Battery & Auto	3/13/2015		\$202.65
77693	Usa Blue Book	3/13/2015		\$334.54
77694	Visa	3/13/2015		\$1,453.02
77695	Wadsworth Electric	3/13/2015		\$330.21
77696	Wilcox & Flegel	3/13/2015		\$1,112.71
77697	Wilcox & Flegel Oil Co.	3/13/2015		\$1,362.74
77698	WILLAPA PAPER SERVICE	3/13/2015		\$300.00
77699	World Kite Museum	3/13/2015		\$1,625.00
77700	Zuern, Donald	3/13/2015		\$317.40
	Total			\$213,525.30
	Check			
	Grand Total			\$213,525.30

TAB

D

TAB

D



**CITY COUNCIL
AGENDA BILL
AB 15-20**

Meeting Date: March 16, 2015

AGENDA ITEM INFORMATION

SUBJECT: <i>Case No. SUP 2015-02 Request by Don Lee for Outdoor Vending of Fireworks for July 2015 and December 2015 – January 2016</i>	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Finance Director	DG
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
Other:		
COST: N/A		

SUMMARY STATEMENT: *Attached is a request for a fireworks stand by Mr. Don Lee dba Fireworks Superstore for the 4th of July and New Year. Also attached are the relevant sections of City Code for Council review. This is the first request for a fireworks stand special use permit this year. Mr. Lee has sold fireworks on these two holidays for several years, and has been a good vendor – no problems.*

RECOMMENDED ACTION: *Approve SUP 2015-02 allowing temporary outdoor merchandising in the C1 zone and declare the 4th of July as a festival for fee purposes. [Note: In past years Council has approved up to four (4) such stands.]*

TEMPORARY USE: A land-use activity that occurs for a specific and limited period of time, typically authorized by a special use permit.

12-11-14: SPECIAL USE PERMIT: For events, uses, and other activities not specifically addressed by this title, an applicant may apply to the city council for a special use permit. The issuance of a special use permit is at the discretion of the city council. The city council may impose such conditions as are deemed necessary to mitigate impacts including, but not limited to, noise, lighting, traffic and hours of operation. A special use permit shall not be used to permanently permit a use that would otherwise be prohibited by the zone district in which the property is situated. A special use permit shall have an expiration date that is no more than one (1) year after the approval date. Upon application, the city council may grant a single extension of a special use permit.



Case No. SUP 2015-02

Location Map

Don Lee dba Fireworks Superstore
Southwest corner of 12th Southwest and Pacific Highway South
Special Use Permit: Fireworks Stand in the C1 Zone

Rec'd
2/5

**FIREWORKS SUPERSTORE
PO BOX 1081
PHILOMATH, OR 97370
541 738-6981
WA UBI 603 0770 424**

City of Long Beach
Ms Gayle Borchard
PO Box 310
Long Beach, WA 98631

2/24/15

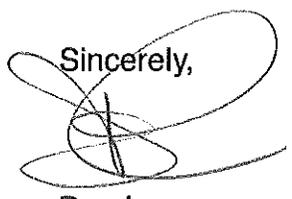
Dear Gayle,

I would like to request a Special Use permit for the sale of consumer fireworks for the 4th of July (June 28 thru July 5) and for the New Year (December 27 thur December 31). The stand location is 101 12th SW.

Submitted are the following documents:

- 2015 Washington Fireworks License
- Certificate of Liability Insurance, naming the City of Long Beach addition insured
- 2015 City of Long Beach business license
- Washington State Resellers permit
- Letter of Authorization from landlord

Sincerely,



Don Lee



Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal
CONSUMER FIREWORKS RETAIL SALES STAND LICENSE **15-0364**
Stand Number: SN-09427

Licensee Data

Fireworks Superstore
P. O. Box 1081
Philomath, OR 97370
License Number: WSPFL-02349
Phone Number: (541) 738-6981

Operational Data

Wholesaler: Jake's Fireworks
County of Operation: Pacific
Operated For: Licensee
Stand Operated By: Don Lee

Date of Issue: February 17, 2015

Date of Expiration: January 31, 2016

Consumer Fireworks Retail Sales Stand Licenses issued after May are ONLY valid for New Years Sales

This license is NOT valid without a permit issued from a local fire code official/authority having jurisdiction. This license allows for operation of a single location/stand only for retail sales to the public of state legal consumer fireworks purchased only from a licensed fireworks wholesaler.
THIS PORTION OF THE LICENSE MUST BE POSTED AT THE STAND AT ALL TIMES



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
2/24/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME:		FAX (A/C, No): 216-658-7101
	PHONE (A/C No, Ext): 216-658-7100	E-MAIL ADDRESS:	
INSURED 2567 Jake's Fireworks Inc. 1500 E 27th Terr. Pittsburg KS 66762	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Maxum Indemnity Company		26743
	INSURER B: Everest Indemnity Insurance Co.		10851
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES CERTIFICATE NUMBER: 1748377215 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			S18GL00320-151	2/15/2015	2/15/2016	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input checked="" type="checkbox"/> CLAIMS-MADE DED RETENTION \$			EXC6018367	2/15/2015	2/15/2016	EACH OCCURRENCE \$1,000,000 AGGREGATE \$1,000,000 \$ WC STATUTORY LIMITS OTHER
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Sales Location: 101 12th SW, Long Beach, WA 98631;
Land Owner: Kristi Eler & Joe Turi, P.O. Box 341, Long Beach, WA 98631; City of Long Beach, P.O. Box 310, Long Beach, WA 98631;
Term: February 15, 2015 through February 14, 2016
The Certificate Holder and the above listed are Additional Insureds with respects to General Liability policy as required by written contract.

CERTIFICATE HOLDER Fireworks Superstore Don Lee P.O. Box 1081 Philomath OR 97370	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE



STATE OF
WASHINGTON

BUSINESS LICENSE

Sole Proprietorship

**DON ALAN LEE
FIREWORKS SUPERSTORE
101 12TH SW
LONG BEACH WA 98631**

TAX REGISTRATION

**CITY LICENSES/REGISTRATIONS:
LONG BEACH GENERAL BUSINESS**

**Unified Business ID #: 603 077 424
Business ID #: 1
Location: 2
Expires: 02-29-2016**

This document lists the registrations, endorsements, and licenses authorized for the business named above. By accepting this document, the licensee certifies the information on the application was complete, true, and accurate to the best of his or her knowledge, and that business will be conducted in compliance with all applicable Washington state, county, and city regulations.

Director, Department of Revenue



STATE OF
WASHINGTON

RESELLER PERMIT

Washington State Department of Revenue

PO Box 47476 • Olympia, WA 98504-7476 • 1-800-647-7706

Issued to:
603 077 424
LEE DON A
FIREWORKS SUPERSTORE
PO BOX 1081
PHILOMATH OR 97370 1081

Permit Number: A22 5141 17

Effective Date: 01-14-2013

Expiration Date: 01-13-2017

Business Activities:
ALL OTHER MISCELLANEOUS STORE RETAILERS (EXCEPT
TOBACCO STORES) (PT)

This permit can be used to purchase:

- Merchandise and inventory for resale without intervening use
- Ingredients, components, or chemicals used in processing new articles of tangible personal property produced for sale
- Feed, seed, seedlings, fertilizer, and spray materials by a farmer
- Materials and contract labor for retail/wholesale construction
- Items for dual purposes (see Purchases for Dual Purposes on back)

This permit cannot be used to purchase:

- Items for personal or household use
- Promotional items or gifts
- Items used in your business that are not resold, such as office supplies, equipment, tools, and equipment rentals
- Materials and contract labor for public road construction or U.S. government contracting (see Definitions on back)
- Materials and contract labor for speculative building

This permit is no longer valid if the business is closed.

The business named on this permit acknowledges:

- It is solely responsible for all purchases made under this permit
- Misuse of the permit:
 - Subjects the business to a penalty of 50 percent of the tax due, in addition to the tax, interest, and penalties imposed (RCW 82.32.291)
 - May result in this permit being revoked

Notes (optional): _____

Important: The Department of Revenue may use information from sellers to verify all purchases made with this permit were qualified.

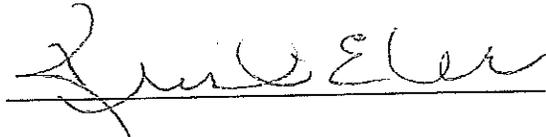
Reseller: Keep this original permit on file. Provide copies to sellers from which you make purchases.

LETTER OF AUTHORIZATION

City of Long Beach
115 Bolstad West
P.O. Box 310
Long Beach, WA 98631

To Whom It May Concern,

Kristi Eler / Joe Turi grants permission to Fireworks Superstore/ Don Lee, to occupy Pacific County parcel # 73026060007, Seaview 060 07, Lot 8, Township-Range-Section 1011222. Site address 101 12th SW. The occupancy term shall be from June 13 thru July 8, 2015 and December 20, 2015 thru January 4, 2016.



Kristi Eler

Dated: 2/11/15



Joe Turi

Dated: 2/11/15

TAB

E

TAB

E



**CITY COUNCIL
AGENDA BILL
AB 15-21**

Meeting Date: **March 16, 2015**

AGENDA ITEM INFORMATION

SUBJECT: Case No. SUP 2015-03 Request by Brooke Ostgaard for Outdoor Vending of Fireworks for July 2015 and December 2015–January 2016	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Finance Director	DG
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
Other:		
COST: N/A		

SUMMARY STATEMENT: *Attached is a request for a fireworks stand for Ms. Brooke Ostgaard dba Thunder Fireworks and Jake’s Fireworks for the 4th of July and New Year. Ms. Ostgaard has sold fireworks on these two holidays for several years, and has been a good vendor – no problems.*

RECOMMENDED ACTION: *Approve SUP 2015-03 allowing temporary outdoor merchandising in the OT zone and declare the 4th of July as a festival for fee purposes. [Note: In past years Council has approved up to four (4) such stands. This is the second application made for this fireworks season.]*

TEMPORARY USE: A land-use activity that occurs for a specific and limited period of time, typically authorized by a special use permit.

12-11-14: SPECIAL USE PERMIT: For events, uses, and other activities not specifically addressed by this title, an applicant may apply to the city council for a special use permit. The issuance of a special use permit is at the discretion of the city council. The city council may impose such conditions as are deemed necessary to mitigate impacts including, but not limited to, noise, lighting, traffic and hours of operation. A special use permit shall not be used to permanently permit a use that would otherwise be prohibited by the zone district in which the property is situated. A special use permit shall have an expiration date that is no more than one (1) year after the approval date. Upon application, the city council may grant a single extension of a special use permit.



Case No. SUP 2015-03

Location Map

Brooke Ostgaard dba Thunder Fireworks and Jake's Fireworks

101 7th Street-southeast - corner of 7th SE and Pacific Highway South

Special Use Permit: Fireworks Stand in the OT Zone



FIRE PROTECTION BUREAU
 FIREWORKS LICENSING PROGRAM
 PO Box 42600
 Olympia WA 98504-2600
 (360) 596-3914 FAX: (360) 596-3934

CASE NO. SUP 2015-03
 200 3/10/15



**APPLICATION
 FOR RETAIL FIREWORKS STAND PERMIT**

TO	Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION	3-3-15
Applicant Name	Brooke Ostgaard	Address, City, State	3757 N. Wenas Rd. Selah, WA 98942
Sponsor (If other than applicant)		Address, City, State	
Location of proposed fireworks stand [Enclose drawing of stand location]			
101 7 th St SE Long Beach, WA			
Manner and place of storage prior, during, and after sales dates			
5207 187 th St. E Tacoma, WA 98446 Thunder Fireworks			
State-Licensed Fireworks Supplier			
Thunder Fireworks & Jake's Fireworks			

FIREWORKS STAND PERMIT

For the Fireworks Sales Year of: _____
 (Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from _____ as the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales for July 4th		Sales for December 31st	
From: _____	From: _____	To: _____	To: _____
Sponsor _____			
Location _____			
/s/ _____	/s/ _____		
Signature of Official Granting Permit		Signature of Applicant	
Title _____	Agency _____		
Date _____	Permit Number _____		
Licensee Name _____	License Number _____		



- minimum 20' off of 7th Street
- minimum 20' off of WA-20 (Main Street)
- Do not block visibility off of 7th Street
- Try to put in the same spot as it has been in previous years. I am sending a picture of that as well.

Address: 101 7th St. SE
Long Beach, WA

This diagram is what I send to my guys who set-up my tent. Let me know if you need something else.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/3/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 777 108th Ave NE, #200 Bellevue WA 98004	CONTACT NAME: Joanne Manion PHONE (A.C. No. Ext.): 425-454-3386 FAX (A.C. No.): 425-451-3716
	E-MAIL ADDRESS: _____
INSURED THUNFIR-01 Thunder Fireworks, Inc. 5207 187th Street E. Tacoma WA 98446	INSURER(S) AFFORDING COVERAGE
	INSURER A: T.H.E. Insurance Company
	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:

COVERAGES **CERTIFICATE NUMBER: 21 13095935** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJ <input checked="" type="checkbox"/> LOC			CPP010389801	11/15/2014	11/15/2015	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTIONS			ELP001151001	11/15/2014	11/15/2015	EACH OCCURRENCE \$9,000,000 AGGREGATE \$9,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				WC STATUTORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Location: 101 7th Street SE, Long Beach, WA 98631
The City of Long Beach and Elizabeth M. Triplett (property owner) are included as additional insureds but only as respects the operation of the named insured per policy terms and conditions - policy form CG133F 07/95.

CERTIFICATE HOLDER City of Long Beach 115 Bolstad Avenue West Long Beach WA 98631	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
-------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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**CITY COUNCIL
AGENDA BILL
AB 15-22**

Meeting Date: March 16, 2015

AGENDA ITEM INFORMATION		
SUBJECT: Pacific County Radio Agreement	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Finance Director	DG
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
COST: \$33,908.16	Water/Wastewater Supervisor	
	Other:	
<p>SUMMARY STATEMENT: During the budget process, staff has discussed the increase in cost related to E911 dispatching. While the members of PACCOM agreed on the cost for actual dispatching, the cost of the radio equipment purchasing had to be a separate agreement with Pacific County. The agreement is attached.</p>		
<p>RECOMMENDED ACTION: <i>Authorize the Mayor to sign the agreement.</i></p>		

David Glasson

From: Kathy Spoor [kspoor@co.pacific.wa.us]
Sent: Thursday, January 29, 2015 1:38 PM
To: bjandrew@centurytel.net
Cc: David Glasson; lbpdchief@centurytel.net
Subject: FW: Dispatch Radio Equipment
Attachments: City of Long Beach Dispatch Radio Equipment Agreement.docx; PACCOM Loan Amortization City of Long Beach.docx; Distribution per formula among member agencies.pdf; Equipment Invoices.pdf

Attached to this email is the information related to the purchase of the radio dispatch equipment in 2014. As you may recall, the decision was made to handle the repayment of the loan from the County for the purchase of this equipment outside of the annual contract payment for services.

Attached you will find the following

- Agreement needing your signature
- Amortization Schedule if you choose to pay over a period of three years rather than one lump payment
- Copy of the "formula" spreadsheet used to calculate each member agency's portion of the repayment-look at the 2015 contribution column for the totals. If you add each of the totals it will equal #306,329 which is the total spent.
- Copy of Invoices for the actual equipment purchased

Please sign the attached agreement and return to me at:

Kathy Spoor
Pacific County General Administration
POB 26
South Bend, WA 98586

Once I receive your agreement I will have the BOCC sign at their next Board meeting. I will get a completed copy back to you for your records.

Once the contracts are completed I will have the Treasurer's office send you an invoice indicating the total if you elect to make a one-time payment, and the total should you elect to pay over the three year period. Payment is not due to the County until December 31st, but feel free to remit at any time.

Please let me know if you have any questions or concerns, or need any additional back up documentation for your records.

Thanks
Kathy Spoor
County Administrative Officer
(360) 875-9334

Interlocal Agreement
Repayment for Purchase of Dispatch Radio Equipment

Between

PACIFIC COUNTY, WASHINGTON

And

CITY OF LONG BEACH

This Interlocal Agreement, (AGREEMENT) is made between Pacific County ("COUNTY"), and the City of Long Beach, ("MEMBER AGENCY").

WHEREAS; PACCOM is governed by an Interlocal agreement made by and among municipal corporations, and political subdivisions held to be municipal corporations within the laws and Constitution of the State of Washington, located either in whole or in part within Pacific County which are collectively referred to as Member Agencies; and

WHEREAS; as part of the 2014 budget process it was approved by the PACCOM MEMBER AGENCIES to purchase/upgrade radio equipment to assure interoperability and compliance with state and federal regulations, and

WHEREAS; as part of the 2014 budget process it was agreed that there were insufficient funds available within the PACCOM fund (Fund #160) to make this purchase;

WHEREAS; as a MEMBER AGENCY the City of Long Beach has agreed to reimburse the COUNTY for the portion of the cost of the dispatch radio equipment calculated using the approved funding formula either in one lump sum payment, or over the course of three years; and

WHEREAS; the COUNTY has passed Resolution No. 2014-065 which authorized a short term loan for MEMBER AGENCIES from its cumulative reserve fund (FUND 197) which includes 3% annual interest rate;

NOW THEREFORE IT IS HEREBY RESOLVED that the COUNTY authorizes a short term loan from the COUNTY's Cumulative Reserve Fund (FUND #197) in the amount of \$31,971 with the City of Long Beach (LAW ENFORCEMENT-\$27,717, FIRE-\$1,559, EMS-\$2,695) for repayment for purchase of dispatch radio equipment upgrade/replacement in 2014 subject to the following conditions:

- ♦ The term of loan will be 3 years. The terms of this AGREEMENT and the performance of the parties hereto shall be deemed to have commenced the 1st day of January 2015. It will continue in effect through the 31st day of December 2017 unless terms of loan are satisfied sooner.
- ♦ MEMBER AGENCY may elect to pay their portion of the loan repayment in one lump sum, or annually over the three year period.

- ◆ Terms of the Amortization Schedule (Attachment A) to this AGREEMENT for MEMBER AGENCIES electing to make annual payments over a 3 year period.
- ◆ Interest will be applied at a rate of 3% per annum.
- ◆ Accumulated principal and interest to be paid annually by December 31st, beginning in 2015.
- ◆ The full faith, credit and resources of the MEMBER AGENCY are pledged irrevocably for the annual payment of this short term loan (principal and interest) until such time that the loan amount is paid in full.

BE IT FURTHER RESOLVED that the Treasurer will provide an annual invoice to Member Agencies each year, and will receive these loan payments and deposit to Fund 197 (Cumulative Reserve).

IN WITNESS WHEREOF, representatives of both the MEMBER AGENCY and the COUNTY executed this CONTRACT the date(s) so noted below.

MEMBER AGENCY

BOARD OF COUNTY COMMISSIONERS

PACIFIC COUNTY, WASHINGTON

(Name) *Date*

 Steve Rogers, Commissioner

(Title)

 Frank Wolfe, Commissioner

 Lisa Ayers, Commissioner

APPROVED AS TO FORM:

ATTEST:

 Mark McClain
 Pacific County Prosecuting Attorney

 Marie Guernsey
 Clerk of the Board

Amortization Schedule – City of Long Beach

Below is the amortization schedule for the purchase of the PACCOM dispatch radio equipment in 2014. The City of Long Beach’s portion of the equipment purchase totaled \$31,971.00 (LAW \$27,717.00, FIRE \$1,559.00, EMS \$2,695.00). You may pay this amount in a **one-time payment** or **annual payments** over a period of **three** years beginning in 2015.

The annual payment for a \$31,971.00 loan at 3.00% annual interest rate will be \$11,302.72 (LAW \$9,833.37, FIRE \$565.14, EMS \$904.21) per payment. You will be invoiced annually by the Pacific County Treasurer with payment due by December 31st each year. Final payment will be due by December 31, 2017.

The loan amortization table below shows your monthly payment divided into two portions. One portion is put towards interest (**interest paid**), while the other portion goes towards principal (**principal paid**).

Year:	Due Date:	Interest paid:	Principal paid:	Remaining balance:
1	12/31/2015	\$959.13	\$10,343.59	\$21,627.41

Loan amortization schedule for year 1 (2015): You will spend **\$959.13** on interest and **\$10,343.59** on principal.

Year:	Due Date:	Interest paid:	Principal paid:	Remaining balance:
2	12/31/2016	\$648.82	\$10,653.90	\$10,973.51

Loan amortization schedule for year 2 (2016): You will spend **\$648.82** on interest and **\$10,653.90** on principal.

Year:	Due Date:	Interest paid:	Principal paid:	Remaining balance:
3	12/31/2017	\$329.21	\$10,973.51	\$0.00

Loan amortization schedule for year 3 (2017): You will spend **\$329.21** on interest and **\$10,973.51** on principal.

Loan payoff summary

Loan details:		Loan payoff details:	
Loan amount:	\$31,971.00	Annually payment:	\$11,302.72
Annual interest rate:	3.00%	Loan start date:	12/31/2014
Loan length:	3 years	Loan payoff date:	12/31/2017
Pay periodicity:	annually	Interest paid:	\$1,937.16

On a \$31,971.00 loan you will spend \$33,908.16.
From this \$1,937.16 goes towards interest and \$31,971.00 will be applied to the principal.

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**CITY COUNCIL
AGENDA BILL
AB 15-22**

Meeting Date: March 16, 2015

AGENDA ITEM INFORMATION		
SUBJECT: Pacific County Economic Development Council Agreement	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Finance Director	DG
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
COST: \$1,000.00	Other:	
SUMMARY STATEMENT: This is the annual contract we have with the EDC. They would like to have the Council approve and have the Mayor Sign. The agreement is attached.		
RECOMMENDED ACTION: <i>Authorize the Mayor to sign the agreement.</i>		

CONTRACT FOR TECHNICAL SERVICES

Between

City of Long Beach

and the

Pacific County Economic Development Council

THIS AGREEMENT is entered into this _____ day of _____, 2015, the City of Long Beach, hereinafter referred to as the "City", and the Pacific County Economic Development Council, hereinafter referred to as the "EDC".

WITNESSETH:

WHEREAS, the EDC is actively pursuing and facilitating the location and expansion of business and industry in Pacific County through the development of a marketing strategy aimed at attracting new business and industry, the implementation of business assistance programs, the promotion of tourism and retirement living, and the establishment of liaison with local, county and state governments as well as the private business sector to coordinate and promote economic growth and development while preserving the quality of life in Pacific County; and

WHEREAS, the City is undertaking certain activities necessary to promote economic growth and development; and

WHEREAS, the City desires to engage the EDC to render certain technical advice and assistance in connection with such undertakings by the City;

NOW, THEREFORE, the parties do mutually agree as follows:

1. Scope of Service. The EDC will: (a) receive from the City inquiries from businesses and industries indicating an interest in locating in the vicinity of the City and responding to such inquiries with information and materials including, but not limited to, wage rates, employment figures, personal income statistics, site availability and such other data as may be requested; (b) furnish current research data to assist the City in the area of economic growth and development. Such data shall include, but shall not be limited to, surveys of industrial growth within Pacific County, employment, population and general statistical information and other information of similar nature; (c) provide, free of additional charge, published materials prepared by the EDC to such persons as the City may direct plus other reports and studies as the EDC may prepare. Such materials may include, but are not limited to, wage rates, employment figures, personal income statistics and other special reports; and (d) serve as a general research reference service and assist in preparing replies to inquiries about facilities and resources required by new industries which may consider the City's services area for location or expansion.

2. Time of Performance. The services of the EDC are to commence on the first day of January, 2015, and terminate on the thirty-first of December, 2015. The duration of the contract may be extended upon mutual agreement between the parties hereto and pursuant to the terms and conditions of the contract, or terminated by 30 days notice to the other party.

3. Compensation and Method of Payment. The City shall reimburse the EDC for the services as follows:

(a) The total contract price for the period specified in paragraph 2 shall be \$1,000.00.

(b) Payment shall be due thirty days after receipt of Service Contract, signed by both parties.

(c) The EDC shall submit such properly executed vouchers, invoices, or expenditure reports to the City as are requested.

4. Changes. Either party may request changes in scope of services, performing or reporting standards or compensation amount or method. Proposed changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

5. Notices. Written notices to each party shall be sent to the following addresses: Pacific County Economic Development Council, 211 Commercial Street, Raymond, WA 98577 and the City of Long Beach, P.O. Box 310, Long Beach, WA 98631.

6. Nondiscrimination. The EDC certifies that it is an equal opportunity employer and that it does not discriminate in its hiring or employment practices or in the provision of any of its services on the basis of membership in any group protected by state or federal law.

7. Liability. The EDC shall hold the City and its officers, agents and employees acting in their official capacity or course of employment, harmless from all suits, claims or liabilities of any nature, for and on account of injuries or damages sustained by any person or property resulting in whole or part from activities or omissions of the EDC, its agents or employees pursuant to this agreement.

8. Subcontracting. The contract is personal to each of the parties thereto and neither party may assign or delegate any of its rights or obligations hereunder except as set forth in this contract.

9. Integrated Document. This contract embodies the contract, terms and conditions between the City and the Pacific County EDC. No verbal agreements or conversations any representatives of either party shall modify or affect the terms and obligations of this contract.

IN WITNESS WHEREOF, the parties here have caused this contract to be executed the date and year first written above.

CITY OF LONG BEACH

PACIFIC COUNTY ECONOMIC
DEVELOPMENT COUNCIL

By: _____
Mayor

By: _____
President

By: _____
Secretary

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Long Beach Police

P.O. Box 795
Long Beach, WA 98631

lbpchief@centurytel.net

Phone 360-642-2911
Fax 360-642-5273

03-01-15

Page 1 of 4

To: Mayor Andrew and Long Beach City Council

From: Chief Flint R. Wright

Ref.: Monthly Report for February 2015

During the month of February the Long Beach Police Department handled the following cases and calls:

Long Beach

580 Total Incidents
Aid Call Assists: 8
Alarms: 9
Animal Complaints: 9
Assaults: 11
Assists: 62
(Includes 10 Law Enforcement Agency Assists Outside City Boundaries)
Burglaries: 0
Disturbance: 18
Drug Inv.: 7
Fire Call Assists: 5
Follow Up: 186
Found/Lost Property: 9
Harassment: 14
Malicious Mischief: 3
MIP – Alcohol: 3
MIP – Tobacco: 0
Missing/Found Persons: 0
Prowler: 1
Runaway: 4
Security Checks: 80
Suspicious: 14
Thefts: 14
Traffic Accidents: 0
Traffic Complaints: 14
Traffic Tickets: 10
Traffic Warnings: 56
Trespass: 12
Warrant Contacts: 16
Welfare Checks: 15

Ilwaco

372 Total Incidents
Aid Call Assists: 1
Alarms: 4
Animal Complaints: 0
Assaults: 5
Assists: 50
Burglaries: 1
Disturbance: 11
Drug Inv.: 4
Fire Call Assists: 0
Follow Up: 83
Found/Lost Property: 1
Harassment: 1
Malicious Mischief: 2
MIP – Alcohol: 0
MIP – Tobacco: 0
Missing/Found Persons: 0
Prowler: 0
Runaway: 0
Security Checks: 169
Suspicious: 9
Thefts: 3
Traffic Accidents: 2
Traffic Complaints: 8
Traffic Tickets: 3
Traffic Warnings: 10
Trespass: 1
Warrant Contacts: 1
Welfare Checks: 3

Officer Casey Meling attended training on February 12th and 13th. The title of the class was "Active Shooter Response Training Instructor Course". The course was designed to teach proactive survival strategies in violent intruder or active shooter situations.

On February 18th the department attended training put on by the Pacific County Prosecutors Office. The prosecutor covered search and seizure issues, report writing, coroner protocols and a new diversion program for suspended drivers.

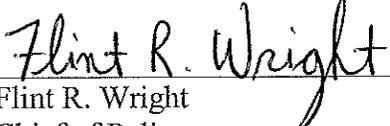
On the 23rd I received a thank you note from a Michael Matthews. Mr. Matthews recently wrote a mystery crime novel that takes place in our area. He had contacted me for information about how law enforcement in a small rural area like ours would deal with what takes place in the book. I was glad to help him and he actually thanked me in the book for my assistance and sent me two signed copies. The title of the book is "A River of Pain, An Ocean of Joy". A copy of the letter is attached.

I, along with area emergency first responders, attended a planning session to continue to prepare in the event we have an active shooter at an area school. This planning event was held on February 24th. Officer Casey Meling is heading up this update to our current plans dealing with a school shooter.

Officer Rodney Nawn attended training on February 24th – 26th. The course was the "Reid Interview and Interrogation Technique". This course teaches an officer how to look for "Behavioral Symptoms" to detect lying or deception, how to conduct the "Behavioral Analysis Interview" which is an interview process that utilizes both investigative and behavioral provoking questions and the "Reid Nine Steps of Interrogation". There are many interview courses that officers can take but the "Reid Technique" course is absolutely the best.

On February 25th I attended another planning meeting at Crises Support Network to continue the process of updating our protocols for dealing with sexual and physical assaults of children and adults.

Officer Mike Parker received a thank you note for assistance he gave to some motorists on the 28th. Mike did a great job representing the department and the city. A copy of the thank you note is attached.



Flint R. Wright
Chief of Police

Hello Chief Wright,

First of all, my apologies for taking so long to get this copy of the book to you. After finishing it, I kind of wanted to not even think about it for a while. But, here is the finished product.

Thank you very much for all your help. This would not be the great book that it is without your assistance. I really appreciated the fact that you took so much time to help me with the details of the law in this story. I was quite surprised and very pleased that you took as much time as you did with your answers to my emails.

If you take the time to read the story and have any comments on it, please send me an email or drop me a line. Even though this story is finished, opinions and critiques of my writing are always welcome and useful for future stories.

I wish you all the best and thank you again for your assistance with this story.

Sincerely,

A handwritten signature in cursive script that reads "Michael Matthews". The signature is written in black ink and is positioned above the typed name and contact information.

Michael Matthews,
1318 Olympic Street,
Springfield, OR 97477
541-736-3772
mick_55@hotmail.com

Flint Wright

From: Flint Wright <lbpdchief@centurytel.net>
Sent: Monday, March 02, 2015 2:35 PM
To: 'Leanne Veldhuis'
Subject: RE: Thank you to Officer Parker

*Great Mike,
like yours make a fuss
very happy.
Chief Wright*

Miss. Veldhuis,

Thank you so much for the kind words about Officer Parker. I will pass them on to him. Please come back again to our area. You are one of thousands who have gotten stuck and you won't be the last. ☺

Chief Flint R. Wright
Long Beach Police Department

From: Leanne Veldhuis [mailto:lveldhui@gmail.com]
Sent: Monday, March 02, 2015 12:51 PM
To: lbpdchief@centurytel.net
Subject: Thank you to Officer Parker

Hello Chief Wright,

I wanted to email you regarding Officer Parker, who did a great job on his patrol this past weekend!

My friend and I were visiting Cape Disappointment/Long Beach peninsula this past weekend and around 9pm on Saturday decided to attempt driving on the beach like everyone seems to do... in my 2WD Honda Civic. I'm sure you know what happened next, I joined the ranks of probably hundreds of people who got their inadequate vehicles stuck in the sand!

Within I think 60 seconds, Officer Parker drove over because he saw it happen from a distance, and he stayed until I was able to flag down a Jeep Wrangler to pull me out. I really appreciated his regard for our safety, being two out-of-town females stuck on the beach on a Saturday night. He has a really great demeanor when interacting with the public and made sure other vehicles didn't try and drive in our way as I was getting pulled out.

All told, it was a surprisingly memorable and dare I say almost fun experience getting stuck, though I of course will be avoiding off-roading in my Civic in the future...or it's time to get a great 4WD vehicle!

I had a wonderful visit to the coast this weekend and look forward to visiting again in the future, thanks for fostering a great police force!

Have a nice week,
~Leanne Veldhuis

Long Beach Peninsula Visitors Bureau –Monthly Destination Marketing Report

February 2015

Web Traffic –Visits 45,158 - Unique Visitors 25,970 - Total hits 1,956,481

New visitors-62.2% - Member referrals – over 3,000

New blogs -4

Utrip itinerary planner on our website and we are featured location on Utrip

Google certified “mobile friendly”

Social Media

Facebook - 7,695 “likes”, mostly organic “Get ready to Dig” posting had a reach of 19,680, 699 likes, 346 shares, 365 comments.

Public Relations

Press releases:

<https://funbeach.com/press/oyster-loving-lovers-look-to-valentines-day-and-beyond-when-in-comes-to-willapa-bay-oysters/>

<https://funbeach.com/press/the-art-and-craft-of-digging-for-razor-clams-will-be-celebrated-april-18-and-19-2015-on-the-long-beach-peninsula/>

Hosted travel writer from Examiner.com

Earned media: Freshwater News, Groupon digital x 2, Washington Coast magazine, AAA Journey magazine, The Daily News, The Seattle Times,

Membership - 277 current members

Visitors Center

1136 Visitors in Feb. This is a 24% increase for the month over Feb. 2014 and a 9% increase ytd over 2014.

Visitor inquiry emails/calls 576

Tourism Industry Partnership & Advocacy

Washington State Destination Marketing Organization Board Meeting

Washington Tourism Summit

Visit Seattle Tourism Outlook

Visit Seattle Partnership Presentation

5 auction packages

Distribution

BVP- 4,774

Annual Events Calendar -1,378

Lure piece - 951

Discovery Trail Map - 2,700

Sports Venue Research

Internship description created and posted, open until 3-30-15

Other marketing and promotion

Travel, Trips and Adventures, Golf and Bike Show at CenturyLink Events Center :600+ contacts, 200+ new broadcast subscribers

Advertising

US Open page on ExperienceWA.com

Our Coast

Wedding Planner

Development

Envision Ilwaco - "Spruce Up Ilwaco Weekend", beautification projection for Hwy 101 intersection.

MONTH	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Website Visits-G												
January								45636	43272	40774	43697	30713
February								46122	44105	41112	46153	34789
March								59869	52429	52804	58664	
April								51764	52627	50745	45617	
May								56228	59337	55669	49862	
June								61645	59432	59470	51352	
July								78012	74856	76106	67053	
August								86538	75674	74672	61747	
September							52966	53451	47082	47877	35420	
October							44365	39521	38853	36577	27440	
November							38593	35528	34120	32040	22582	
December							34861	34374	31955	37686	25035	
Totals							170785	648688	613742	605532	534622	
Unique - G												
January								28636	26994	24871	26828	20967
February								28418	28423	25659	27665	24465
March								37235	33066	33497	37279	
April								32754	33620	32012	29968	
May								36313	39275	35329	34576	
June								41076	38891	38169	37030	
July								52492	49490	50132	48284	
August								55384	49676	48498	44306	
September							33126	34464	30041	29664	24565	
October							27428	24599	23166	22068	18234	
November							23001	21438	19620	19281	14836	
December							20966	21345	18261	21976	16129	

Totals									104521	414154	390523	381156	359700	
MONTH	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
Website Visits-AW														
January							62700	56372	63497	53683	67961			45158
February						6938	54443	62749	62998	59049	65225			48069
March						###	79543	78920	72333	77444	79966			
April						###	77857	74795	72680	77137	65683			
May						###	83103	78082	73463	83374	71455			
June						###	92041	82871	81237	70607	73844			
July						###	118466	95483	98294	109152	89007			
August						###	97357	101110	91387	106799	82679			
September						###	62651	72246	64971	75087	52489			
October						###	62310	57361	53178	59669	65615			
November						###	56573	56032	57362	57739	37796			
December						###	53031	51641	48485	59418	39232			
Totals						###	900075	867662	839885	889158	790952			
Unique - AW														
January							33190	30397	31736	26521	34232			25970
February						5280	30793	31362	32418	29740	32341			29341
March						###	42509	40438	36764	38698	41226			
April						###	39523	37036	38250	38212	33593			
May						###	44102	40373	39341	43214	38516			
June						###	50733	44772	42739	39715	40429			
July						###	60495	54689	52326	58073	49089			
August						###	49813	55750	49085	53584	45971			
September						###	33335	39131	33989	34971	29244			
October						###	32266	29900	25996	27149	44411			
November						###	28118	27332	25699	26079	19445			

December						# # #	26022	25972	21564	27329	20446	
Totals						# # #	470899	457152	429907	443285	428943	

LONG BEACH PENINSULA VISITORS BUREAU

Board of Directors Meeting

Thursday, March 12th 2015 • noon

AGENDA

12th

Minutes - Approval of Feb. minutes

Treasurer's Report - P & L Budget vs. Actual as of 2-28-15
-Balance sheet 2-28-15

Executive Committee -

Marketing – monthly report

Director's Report-

Old Business – Chinook School – draft letter of intent
- Vehicle Task Force
- Authorized signers for checking
- Annual Meeting April 9

New Business -

Board Member Updates and Announcements-

Adjourn

Next meeting: Annual Meeting April 9, 2015 at noon at Peninsula Senior Center.

LBPVB Visitor Origins 2015 Annual

	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Totals	Visitor %
OR - Portland (970-972)	141	134											275	13.39%
OR - Elsewhere	37	45											82	3.99%
OR - Totals	178	179	0	357	17.38%									
Gtr. Puget Sound Area	288	365											653	31.79%
WA - Elsewhere	275	338											613	29.84%
WA - Totals	563	703	0	1266	61.64%									
OR Total	178	179	0	357	17.38%									
WA Total	563	703	0	1266	61.64%									
Other States	80	88	0	168	8.18%									
US Total	821	970	0	1791	87.20%									
Canada Total	25	44											69	3.36%
Foreign Total	10	12											22	1.07%
Unknown Origin	62	110											172	8.37%
Combined Totals	918	1136	0	2054	100%									
													2054	

	Jan	Feb	March	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
AK	2	2											4
AL													0
AR													0
AZ	10	3											13
CA	10	16											26
CO	4	2											6
CT													0
DC		2											2
DE													0
FL	2	6											8
GA		4											4
HI													0
IA	2												2
ID	7	11											18
IL	6												6
IN													0
KS													0
KY		2											2
LA													0
MA		3											3
MD													0
ME													0
MI	4												4
MN		5											5
MO		7											7
MS													0
MT		8											8
NC		3											3
ND	2												2
NE	2												2
NH													0
NJ													0
NM	8	2											10
NV	3	2											5
NY	2												2
OH		2											2
OK													0
PA													0
RI													0
SC													0
SD	1												1
TN													0
TX	8	1											9
UT	1	2											3
VA													0
VT	2												2
WI	2	4											6
WV													0
WY	2	1											3
Total	80	88	0	168									
													168
Visitors from Canada													

US Total

Report: AGY064P2
710-LBL BLS020

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

Date: 02 24 2015
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Sole Proprietor
Legal Entity Name : MARCI KAY OLDHAM

UBI Number : 602 766 056 001 0002
Application ID : 2015 055 3581
Application Received Date: 02 24 2015

Firm Name : ARTFUL FRAMING

Fees: \$125.00
Expiration Date: 02 29 2016

Location Phone/FAX: (360) 244-9124 (000) 000-0000

Business Open Date: 03 05 2015

Email Address: MARCIKAYO@GMAIL.COM

Location Address : 104 30TH ST NW UNIT 2
LONG BEACH WA 98631 3945

Mail Addr: 104 30TH ST NW UNIT 1
LONG BEACH WA 98631 3945

In City Limits: Y Number of employees at this location: 0

Product/Serv Desc: Retail, Manufacturing CUSTOM PICTURE FRAMING AND ART RETAIL. I WILL HELP
A CUSTOMER CHOOSE THE FRAMING THEY WOULD LIKE, ORDER IT FROM MY SUPPLIER, THEN ASSEMBLE THE PIECES

Operator Comments: REOPEN ACCT

Square Footage: 500 Applying as Non Profit Business: N

Conducting Business From Residence: Y Customers visiting business premises? Y Per week: Interior/Exterior Modifications: Y

Haz/Flam Material: N Smoke Detect/Fire Sprink

Additional Business Activities: Manufacturing/Assembly Retail/Wholesale Sales

Account Status: Pending Approval

Zoning	<u>R2K</u>	<u>9/2/15</u>	Fire	_____	Date	_____
Building	<u>FB</u>	<u>2/2/15</u>	Police	_____	Date	_____
Finance	_____	Date	Planning	_____	Date	_____
Comments:	-----					

*OK as have financing
10-2-2016 ok*

Report: AGY064P2
710-LBI BLS020

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

Date: 03 06 2015
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Sole Proprietor
Legal Entity Name : KAYLEIGH N LENTZ

UBI Number : 603 483 847 001 0001
Application ID : 2015 058 5021
Application Received Date: 02 27 2015

Firm Name : INTEGRITY CLEANING

Fees: \$125.00
Expiration Date: 02 29 2016

Location Phone/FAX: (360) 244-2180

Business Open Date: 05 01 2015

Email Address: KAYLEIGHLENTZ24@GMAIL.COM

Mail Addr: 2212 68TH PL
LONG BEACH WA 98631 3677

Location Address : 2212 68TH PL
LONG BEACH WA 98631 3677

In City Limits: Y Number of employees at this location: 0

Product/Serv Desc: Services HOUSE CLEANING AND HOME ORGANIZING

Operator Comments:

Previous Business License: N

Square Footage: 800

Applying as Non Profit Business: N

Conducting Business From Residence: Y Customers visiting business premises? N

Interior/Exterior Modifications: N

Haz/Flam Material: N

Additional Business Activities: Utility

Account Status: Pending Approval

Zoning	N/A	3/21/15	Fire		Date
Building			Police		Date
Finance			Planning		Date
Comments:					

Report: AGY0644P2
710-IBL ELSD020

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

Date: 03 05 2015
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: LLC
Legal Entity Name : PREMIER CONSTRUCTION LLC

UBI Number : 603 021 262 001 0001
Application ID : 2015 057 3393
Application Received Date: 02 26 2015

Firm Name : PREMIER CONSTRUCTION LLC

Fees: \$125.00
Expiration Date: 02 29 2016

Location Phone/FAX: (360) 244-9172 (360) 642-2744

Business Open Date: 01 01 2015

Email Address: PREMIERCONSTRUCTION08@YAHOO.COM

Location Address : 13010 PACIFIC WAY
LONG BEACH WA 98631 5812

Mail Addr: PO BOX 702
LONG BEACH WA 98631 0702

In City Limits: Y Number of employees at this location: 0

Product/Serv Desc: Wholesale, Retail, Services GENERAL CONSTRUCTION

Operator Comments:

Square Footage: 0 Applying as Non Profit Business: N

Previous Business License: N

Interior/Exterior Modifications: N

Haz/Flam Material: N

General/Specialty Contractor # PRMTCL9021B

Contractor license number verified in the Contractor database. Expires: 08 12 2016

Account Status: Pending Approval

Zoning	HA	3/9/15	Fire	Date	Date
Building			Police	Date	Date
Finance			Planning	Date	Date
Comments:					

Report: AGY064P2
710-LBL BLS020

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

Date: 03 04 2015
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Partnership

UBI Number : 601 996 627 001 0009

Legal Entity Name : GATEWAY FUNDING DIVERSIFIED MORTGAGE SERVICES, L.P.

Application ID : 2015 063 3711

Application Received Date: 03 04 2015

Firm Name : GATEWAY FUNDING DIVERSIFIED MORTGAGE SERVICES, L.P.

Fees: \$125.00

Expiration Date:

03 31 2016

Location Phone/FAX: (253) 948-3898

(866) 907-2093

First Date of Business:

02 19 2015

Email Address: JGLASS@GATEWAYFUNDING.COM

Location Address : 222 162ND ST S STE B

SPANAWAY WA 98387 8618

Mail Addr: 300 WELSH RD BLDG 5
HORSHAM PA 19044 2250

In City Limits: Y Number of employees at this location: 0

Product/Serv Desc: Services MORTGAGE LENDING AND BROKERING

Operator Comments:

Previous Business License: N

Applying as Nonprofit Business: N

Account Status: Pending Approval

Zoning	HA	3/9/15	Fire		Date
Building			Police		Date
Finance			Planning		Date
Comments:					

Report: AGY064P2
710-LBL BLS020

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

Date: 03 04 2015
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Partnership

Legal Entity Name : GATEWAY FUNDING DIVERSIFIED MORTGAGE SERVICES, L.P.

Firm Name : GATEWAY FUNDING DIVERSIFIED MORTGAGE SERVICES, L.P.

Location Phone/FAX: (425) 278-5701 (855) 334-4837

Email Address: SKLISE@GATEWAYFUNDING.COM

Location Address : 2630 146TH AVE NE STE 101
BELLEVUE WA 98004 1459

Mail Addr: 300 WELSH RD BLDG 5
HORSHAM PA 19044 2250

In City Limits: Y Number of employees at this location: 0

Product/Serv Desc: Services MORTGAGE LENDING AND BROKERING

Operator Comments:

Previous Business License: N

Applying as Nonprofit Business: N

Account Status: Pending Approval

Zoning	NA 9P	3/9/15	Fire	Date	_____	Date	_____
Building	_____	_____	Police	Date	_____	Date	_____
Finance	_____	_____	Planning	Date	_____	Date	_____
Comments:	_____						

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: LLC
Legal Entity Name : BEACH TIME LANDSCAPING, INC

UFI Number : 603 474 473 001 0001
Application ID : 2015 061 3774
Application Received Date: 03 02 2015

Firm Name : BEACH TIME LANDSCAPING, INC

Fees: \$125.00
Expiration Date: 03 31 2016

Location Phone/FAX: (360) 216-7386 (000) 000-0000

Business Open Date: 01 01 2015

Email Address: BEACHTIMELANDSCAPING@GMAIL.COM

Location Address : 203 BOLSTAD
LONG BEACH WA 98631

Mail Addr: 203 BOLSTAD
LONG BEACH WA 98631 1192

In City Limits: Y Number of employees at this location: 1

Product/Serv Desc: Services LANDSCAPING SERVICES

Operator Comments: LANGUAGE ASSIST(Y/N): Y ENGLISH

Previous Business License: Y Square Footage: 0 Applying as Non Profit Business: N

Conducting Business From Residence: N Interior/Exterior Modifications: N

Haz/Flam Material: N Smoke Detect/Fire Sprklr

General/Specialty Contractor # BEACHTL872NE Unable to verify Contractor license number in the Contractor database.

Account Status: Pending Approval

Zoning	OTW	CP	3/1/15	Fire		Date	
Building				Police		Date	
Finance				Planning		Date	
Comments:							

*Special permission
No plans for coverage
at this time. No other
operations - its an
office space. WJ*

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: LLC

UBI Number : 603 441 980 001 0001

Legal Entity Name : VIKK HOSPITALITY LONG BEACH, LLC

Application ID : 2015 061 3833

Firm Name : BEST WESTERN LONG BEACH INN

Application Received Date: 03 02 2015

Location Phone/FAX: (360) 642-8988 (000) 000-0000

Fees: \$125.00

Expiration Date: 03 31 2016

Email Address: AMANDK2003@YAHOO.COM

Business Open Date: 02 24 2015

Location Address : 500 OCEAN BEACH BLVD
LONG BEACH WA 98631

Mail Addr: 8815 SW SUN PL
WILSONVILLE OR 97070 9611

In City Limits: Y Number of employees at this location: 10

Product/Serv Desc: Retail LIMITED SERVICE MOTEL

Operator Comments:

Previous Business License: N

Square Footage: 0

Applying as Non Profit Business: N

Conducting Business From Residence: N

Interior/Exterior Modifications: Y

Haz/Flam Material: N Smoke Detect/Fire Sprinkl

Additional Business Activities: Utility

Retail/Wholesale Sales

Account Status: Pending Approval

Zoning	OT 9B	Date	3/9/15	Fire	Date
Building		Date		Police	Date
Finance		Date		Planning	Date
Comments:					

*Support B sales & rebranding
Best western. Have spoken
w/ owners & my manager
about signs. OK*

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Profit Corporation
Legal Entity Name : BODY ESSENCE MASSAGE, INC.

UBI Number : 603 062 764 001 0001
Application ID : 2015 054 4338
Application Received Date: 02 23 2015

Firm Name : BODY ESSENCE MASSAGE, INC.

Fees: \$125.00
Expiration Date: 02 29 2016

Location Phone/FAX: (360) 244-1991 (000) 000-0000

Business Open Date: 06 01 2009

Email Address: BEMASSAGE@HOTMAIL.COM

Mail Addr: PO BOX 700
LONG BEACH WA 98631 0700

Location Address : 409 SID SNYDER DR
LONG BEACH WA 98631 3903

In City Limits: Y Number of employees at this location: 0

Product/Serv Desc: Services MASSAGE THERAPY

Operator Comments: REOPEN ACCOUNT

Previous Business License: N

Square Footage: 0

Applying as Non Profit Business: N

Conducting Business From Residence: N

Interior/Exterior Modifications: N

Haz/Flam Material: N

Additional Business Activities: Healthcare/Medical

WA State professional/occupational license: MASSAGE PRACTITIONER MA60096540

Account Status: Pending Approval

Zoning	SB	SB	3/9/15	Fire		Date	
Building			Date	Police		Date	
Finance			Date	Planning		Date	
Comments:							

