
AGENDA
OMAK CITY COUNCIL MEETING
Zoom Meeting
Monday, November 2, 2020 – 7:00 PM

A. CALL TO ORDER

B. GREETING

C. CITIZEN COMMENTS

D. CORRESPONDENCE AND MAYOR'S REPORT






E. CONSENT AGENDA:

1. Approval of minutes from October 19, 2020 & October 26, 2020 Budget Workshop minutes
2. Approval of Claims & Payroll

F. PUBLIC HEARING:

1. 2021 Budget Revenue Sources – Consideration of 2021 Ad Valorem Revenue Taxes

G. NEW BUSINESS:

1. Res. 71-2020 Approving Professional Services Agreement – Highlands Associates 
2. Res. 72-2020 Approving the Designation of an Official Newspaper for the City of Omak 2021 
3. Res. 73-2020 Apprv. Operational Agreement with North Central Washington Narcotics Task Force 
4. Res. 74-2020 Approving MOA with Okanogan County Community Coalition 
5. Ord. 1894 Authorize Ad Valorem Taxes for 2021 Fiscal Calendar Year 
6. Ord. 1895 Amending OMC Title 17 – Subdivisions 
9. Ord. 1896 Amending OMC Title 18 – Zoning 

H. OTHER BUSINESS:

1. Council Committee Reports
2. Staff Reports

 **Action by City Council**

In accordance with the "Stay Home, Stay Healthy" order from Governor Inslee, our Council Meeting will be conducted using Zoom Meetings (information on next page).
If you need support, contact the City Clerk in advance of the meeting by calling 509-826-1170 or e-mail clerk@omakcity.com for assistance.

The City of Omak is inviting you to a scheduled Zoom meeting, November 2nd, 2020 @ 7:00pm

Join Zoom Meeting

<https://us02web.zoom.us/j/83912134646?pwd=UEpiWjhvZnZoTThFTFJUei82dEdWUT09>

Meeting ID: 839 1213 4646

Passcode: 271787

One tap mobile

+12532158782,,83912134646#,,,,,0#,,271787# US (Tacoma)

+13462487799,,83912134646#,,,,,0#,,271787# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

Meeting ID: 839 1213 4646

Passcode: 271787

Find your local number: <https://us02web.zoom.us/u/kkfUhFDuY>



MEMORANDUM

To: Omak City Council
Cindy Gagné, Mayor

From: City Administrator/City Clerk

Date: November 2, 2020

Subject: Resolution 71-2020 – Renewal of Highlands Associates Planning Contract

The attached Resolution No. 71-2020, A Resolution of the Omak City Council of the City of Omak Renewal of the Planning Agreement with Highlands Associates for 2021, is submitted for your review.

Kurt Danison of Highlands Associates has been providing planning and land use guidance to the City of Omak for more than 20 years. In 2019, Council approved Resolution 73-2019 for 2020 planning services which included amendments to staff time hourly rates and mileage rates. This Resolution is to renew that contract for 2021 and there are no context changes. If approved, the contract will terminate December 31, 2021.

I support this Resolution and request Council approval.

RESOLUTION NO. 71-2020

**RENEW THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN HIGHLANDS ASSOCIATES AND THE CITY OF OMAK
FOR PROFESSIONAL PLANNING SERVICES IN 2021**

THE CITY COUNCIL OF THE CITY OF OMAK, Washington do hereby resolve that the Professional Services Agreement for 2020, approved by Resolution 73-2019 on November 18, 2019, between the **CITY OF OMAK**, a municipal corporation and **KURT DANISON dba HIGHLANDS ASSOCIATES**, a private consultant; is hereby renewed with no context changes from January 1, 2021 through December 31, 2021, and at the continued rate of \$72.00 per hour plus 25% share in overhead costs. These services in 2021 are budgeted at \$15,000.

NOW, THEREFORE, BE IT RESOLVED, this resolution is approved, and the Mayor is hereby authorized and directed to execute the same for and on behalf of the CITY; and that the City Clerk is authorized and directed to attest her signature.

INTRODUCED and passed this _____ day of _____ 2020.

APPROVED:

Cindy Gagné, Mayor

ATTEST:

Connie Thomas, City Clerk

APPROVED AS TO FORM:

Michael Howe, City Attorney



MEMORANDUM

To: Omak City Council
Cindy Gagné, Mayor

From: City Administrator/City Clerk

Date: November 2, 2020

Subject: **Resolution 72-2020** Designating Official Newspaper for 2021

The Attached Resolution **72-2020, a Resolution Designating an Official Newspaper for the City of Omak In 2021**, is forwarded for your consideration.

I reached out to the Omak-Okanogan Chronicle and the Wenatchee Daily World on October 8, 2020 giving them the opportunity to bid for our city newsprint and legal advertising services in 2021. The bid closed on October 23, 2020. Both newspapers provided a bid "per column inch".

The Omak-Okanogan Chronicle provided the lowest bid of \$10 per column inch of legal advertising.

I support this Resolution and urge its Adoption.

RESOLUTION NO. 72-2020

**A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER
FOR THE CITY OF OMAK IN 2021**

WHEREAS, RCW 35.21.875 provides as follows:

“Each city and town shall designate an official newspaper by resolution. The newspaper shall be of general circulation in the city or town and have the qualifications prescribed by Chapter 65.16. RCW.”; and

WHEREAS, RCW 35.23.352 (7) provides as follows:

“Bids shall be called annually and at a time and in the manner prescribed by ordinance for the publication in a newspaper of general circulation in the city or town of all notices or newspaper publications required by law. The contract shall be awarded to the lowest responsible bidder.”; and

WHEREAS, the newspaper designated below meets the requirements prescribed by Chapter 65.16 RCW.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAK, WASHINGTON, as follows:

Section 1. The following newspaper is hereby designated the official newspaper of the City of Omak for 2021: **The Omak-Okanogan County Chronicle.**

PASSED BY THE CITY COUNCIL this _____ day of _____, 2020.

APPROVED:

Cindy Gagné, Mayor

ATTEST:

Connie Thomas, City Clerk

APPROVED AS TO FORM:

Michael D. Howe, City Attorney



MEMORANDUM

To: Omak City Council
Cindy Gagné, Mayor

From: Jeff Koplín, Police Chief

Date: November 2, 2020

Subject: Resolution 73-2020 – Authorizing Narcotic Task Force Agreement

The attached Resolution No. 73-2020, Authorizing the Operational Agreement Between North Central Washington Narcotics Task Force and the City of Omak for 2021, is submitted for your review.

This Resolution authorizes the Mayor to execute the agreement for 2021. There are no changes to the agreement and the membership dues for the inclusion remain \$5,300 a year.

I support this Resolution and request Council approval.

RESOLUTION NO. 73-2020

**OPERATIONAL AGREEMENT BETWEEN
NORTH CENTRAL WASHINGTON NARCOTICS TASK FORCE
AND THE CITY OF OMAK FOR 2021**

THE CITY COUNCIL OF THE CITY OF OMAK, Washington do hereby resolve that the North Central Washington Narcotics Task Force Operational Agreement, between the **CITY OF OMAK**, a municipal corporation, and **NORTH CENTRAL WASHINGTON NARCOTICS TASK FORCE**, (NCWNTF) effective from January 1, 2021 through December 31, 2021, is attached as "Exhibit A", and the Mayor is hereby authorized and directed to execute the same for and on behalf of the CITY; and the City Clerk is authorized and directed to attest her signature.

INTRODUCED AND PASSED this _____ day of _____ 2020.

SIGNED:

Cindy Gagné, Mayor

ATTEST:

Connie Thomas, City Clerk

APPROVED AS TO FORM:

Michael Howe, City Attorney

EXHIBIT A

NORTH CENTRAL WASHINGTON

NARCOTICS TASK FORCE

OPERATIONAL AGREEMENT

THIS OPERATIONAL AGREEMENT is entered into pursuant to RCW 10.93 and RCW 39.34 and describes the duties and responsibilities of each jurisdiction and the operation of the North Central Washington Narcotics Task Force (NCWNTF). The participating jurisdictions are listed in Attachment A. This Agreement shall supersede all previous Task force Agreements upon its execution.

I. PROJECT DESCRIPTION

- 1.1 The North Central Washington Narcotics Task Force shall operate within the participating jurisdictions. The Task Force shall continue to be composed of personnel assigned from federal law enforcement agencies, the Washington State Patrol, law enforcement agencies within the counties, tribal law enforcement and the prosecutors' offices.
- 1.2 Each agency will participate for a period effective January 1, 2021 through the end of December 31, 2021.

II. BOARD OF DIRECTORS AND STRUCTURE OR ORGANIZATION

- 2.1 Overall governance of the NCWNTF's operations, including the setting of investigative priorities and general operating procedures as outlined in the task force grant, will be vested in a Board of Directors consisting of the chief law enforcement officer or agent from each participating jurisdiction

including state and federal and the Okanogan and Ferry County Prosecutors. The participating jurisdictions recognize that two or more jurisdictions may employ the same chief law enforcement officer or agent. In such event, the chief law enforcement officer or agent shall be entitled to cast a vote for each represented jurisdiction.

- 2.2 Each jurisdiction represented on the Board or by members of the Board of Directors shall have an equal vote in the conduct of its business. A quorum at a scheduled board meeting shall constitute seven votes. Each Board member may designate a subordinate to attend any particular Board meeting, which designee shall have full voting authority. When the board votes on any matter, a majority of those voting at a duly called meeting at which a quorum is present shall be required to conduct business. The Board shall have the authority to act and amend the policies and procedures which govern the actions of the Task Force.
- 2.3 The Board of Directors may assign or delegate such duties as it chooses to an Executive Committee selected from its members. The Executive Committee shall consist of three members of the Board who shall be appointed by the Chairperson.
- 2.4 The Board of Directors shall elect a chairperson from among its members to serve for one year. The Board of Directors shall meet at least four times a year. The chairman shall have the authority to call a special meeting of the board upon at least seven days notice to each board member.

- 2.5 The Board of Directors shall designate a Task Force Commander and a Financial Coordinator for the North Central Washington Narcotics Task Force. All persons assigned to the NCWNTF shall work under the immediate supervision and direction of the Task Force Commander. In the event that the Task Force Commander or the Financial Coordinator is gone for an extended period of time, the Executive Board will meet to determine a temporary replacement of that position. All persons assigned to the NCWNTF shall adhere to the rules and regulations as set forth in the NCWNTF's Policy and Procedures Manual, as well as their individual departmental rules, policies and procedures.
- 2.6 Personnel assigned to or otherwise participating in activities of the NCWNTF shall be deemed to be continuing under the employment of the jurisdiction assigning said individuals, or otherwise permitting their participation, and said subject employer(s) jurisdiction(s) shall remain liable for all acts or neglect of their said employee(s) and each such employer jurisdiction further agrees to indemnify and hold harmless all of the other jurisdictions/parties to this agreement, including their officers, agents and employees from all damages of every kind and nature whatsoever that may be claimed or accrued by reason of the acts or neglect of their assigned and/or participating employee(s).
- 2.7 Employees hired directly by the NCWNTF shall be special employees of the Okanogan County Sheriff's Office and are exempt from Civil Service hiring.

Guild membership is allowed to obtain the sheriff's office medical and dental benefits only – as approved by the Guild.

- 2.8 Any duly sworn peace officer, while assigned to duty with the NCWNTF as herein provided and working at the direction of the Executive Board, its chairperson, and the Task Force Commander, shall have the same powers, duties, privileges and immunities as are conferred upon him/her as a peace officer in the participating jurisdictions that employ him/her.
- 2.9 Participating agencies may withdraw from the NCWNTF by written statement of termination directed to the chairperson of the Board. Termination of an agency's participation will take place automatically thirty (30) days after receipt of such written notice or immediately upon written notification that said agency is unable to sustain the required funding.

III. CONTEMPLATED NCWNTF TASKS

- 3.1 The general priority will be to continue investigations centering on narcotics trafficking, attempting to impact the highest-level dealers and wholesalers possible. When a determination of specific priorities must be made, the Board will direct the Task Force Commander. The NCWNTF will be responsible for accomplishing the Board's objectives.

IV. NCWNTF OBJECTIVES

- 4.1 This section identifies specific targeted measures to be attained by the North Central Washington Narcotics Task Force during the program year.
 - A. Continue to disrupt drug organizations within the participating jurisdictions.

- B. Continue to gather and report intelligence data relating to illegal drug activities within the participating jurisdictions.
- C. Continue to make arrests that will impact the highest-level dealer and wholesaler as possible.
- D. Continue to effectively prosecute drug traffickers.
- E. Continue to promote law enforcement cooperation through multi-agency investigations.
- F. Continue to impact drug trafficking organizations.

V. FINANCIAL COMMITMENT

- 5.1 The agreed contribution fees of each participating jurisdiction are set out in the schedule, which is included as Attachment B. Agencies that are unable to pay all of their participation fee will be reviewed for membership on a case by case basis. Contributions will be monetary unless otherwise approved by the board. The board may impose sanctions such as ineligibility to share multi-agency forfeited assets, equipment distribution and abstaining from the voting process.

VI. BUDGET

- 6.1 The Financial Coordinator, under the supervision of the Board Chairperson, shall be responsible for the accounting of NCWNTF expenditures.
- 6.2 Forfeited assets will stay with the NCWNTF. The distribution of multi-agency forfeited assets will be decided by the Executive Board. Funds derived from asset forfeitures or court orders shall be held by the Task Force and used to fund its future operations. Equipment purchased with

Task Force funds will belong to the NCWNTF. In the event, the NCWNTF is disbanded; such NCWNTF equipment derived from seizures will be distributed in proportion to that agency's contribution, both monetary and in-kind services. However, if less than all agencies terminate, equipment derived from seizures will remain with the NCWNTF. Any equipment loaned to the NCWNTF by an agency will be returned to that agency.

- 6.3 The NCWNTF will maintain a fund to be used for drug buys and for the purchase of information. This fund will continue to serve as the basis for enforcement work and will not be used for normal expense.

VII. CONCLUSION

Law enforcement agencies continue to be faced with the responsibility of increased narcotics investigations with decreasing resources. The North Central Washington Narcotics Task Force has proven its ability to make significant impacts on crime. The NCWNTF is an extremely efficient use of law enforcement expenditures. The cost effectiveness of the NCWNTF for city, county and tribal resources is enhanced by the participation of the Okanogan and Ferry County Prosecutor's Offices, the Washington State Patrol, Colville Tribal Police Department and other federal enforcement authorities. This integrated law enforcement approach to narcotics investigations has been proven as a positive approach to combating the increasing lawlessness that surrounds narcotics within our respective counties.

NORTH CENTRAL WASHINGTON NARCOTICS

TASK FORCE CONTINUED

OPERATIONAL AGREEMENT

Agreement to Participate

Attachment A
List of Participating Agencies

City of Okanogan

City of Twisp

City of Brewster

City of Winthrop

City of Omak

City of Tonasket

City of Oroville

Washington State Patrol

City of Pateros

United States Port of Entry

United States Border Patrol

Colville Tribal Police Department

Okanogan County Sheriff's Office

Okanogan County Prosecuting Attorney's Office

Homeland Security Investigations

Ferry County Prosecuting Attorney's Office

Ferry County Sheriff's Office

NORTH CENTRAL WASHINGTON NARCOTICS

TASK FORCE CONTINUED

OPERATIONAL AGREEMENT

Agreement to Participate

Attachment B - Schedule of Cash Contributions

\$3,300.00

City of Okanogan

City of Brewster

Ferry County Sheriff's Office

\$2,300.00

City of Oroville

City of Pateros

City of Winthrop

City of Twisp

\$5,300.00

City of Omak

City of Tonasket

\$6,300.00

Okanogan County Sheriff's Department



MEMORANDUM

To: Omak City Council
Cindy Gagné, Mayor

From: Jeff Koplin, Police Chief

Date: November 2, 2020

Subject: **Resolution 74-2020 – Authorize MOA with Okanogan County Community Coalition**

The attached **Resolution No. 74-2020, A Resolution of the Omak City Council Approving a Memorandum of Agreement with Okanogan County Community Coalition to Participate in Funding to Enforce Underage Drinking and Marijuana Laws,** is submitted for your review.

This is a one-year agreement with OCCC to continue Emphasis Patrols for underage drinking and marijuana enforcement activities.

Our department has been working with OCCC for many years with great success. This agreement allows for our continued involvement in this program and provides a means for reimbursement for the actual expense the department may have while assisting with this program.

I support this Resolution and request Council approval.

RESOLUTION NO. 74-2020

A RESOLUTION OF THE OMAK CITY COUNCIL APPROVING A MEMORANDUM OF AGREEMENT WITH OKANOGAN COUNTY COMMUNITY COALITION TO PARTICIPATE IN FUNDING TO ENFORCE UNDERAGE DRINKING AND MARIJUANA LAWS

WHEREAS, the City of Omak and the Okanogan County Community Coalition (OCCC) have had a Memorandum of Agreement wherein OCCC provides additional funding for the Police Department to provide additional patrols and emphasis enforcement to prevent underage drinking and marijuana use since 2012; and

WHEREAS, this program has been identified through Omak High School surveys to be effective in reducing underage drinking and marijuana use; and

WHEREAS, the current agreement approved by Resolution 66-2019 has expired; and

WHEREAS, it is desirable to enter into a new agreement for the continued enjoyment of this cooperative program.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Omak hereby approves the **Memorandum of Agreement** between the City and the **Okanogan County Community Coalition** for the period from October 1, 2020 to September 30, 2021 as shown on **Exhibit "A"**, attached hereto.

INTRODUCED and passed this _____ day of _____ 2020.

APPROVED:

Cindy Gagné, Mayor

ATTEST:

Connie Thomas, City Clerk

APPROVED AS TO FORM:

Michael Howe, City Attorney

Memorandum of Agreement

This agreement between Okanogan County Community Coalition and Omak Police Department shall be from October 1, 2020 – September 30, 2021 and be directly related to funding provided by Washington State Division of Behavioral Health and Recovery – Partnership for Success grant funding and Okanogan County Community Coalition general funds for the benefit of strategies outlined to reduce underage drinking and marijuana use in the Omak School District area.

Okanogan County Community Coalition will be held responsible to:

- Create and follow its own by-laws and policies
- Formulate coalition goals and objectives
- Oversee operations of Okanogan County Community Coalition activities, program, paid staff, and volunteers as it relates to the programs above.
- Create and follow the Coalition's Strategic Plan to reduce underage drinking and marijuana use and the action work plans identified as part of related funding including:
 - Reimbursement of City of Omak for Omak Police Department for actual expenses related to extra patrols and enforcement of underage gatherings and DUI.
 - Reimbursement of City of Omak and Omak Police Department for actual expenses related to implementing alcohol and marijuana retail compliance checks.
 - Transparently share all enforcement data gathered as part of this effort.
 - Mutually select appropriate and targeted dates for emphasis patrols and compliance checks.
- Respect the rights of Okanogan County Community Coalition members to hold their own opinions and beliefs.

The Omak Police Department will be held responsible to:

- Create and follow City of Omak policies and procedures.
- Oversee operations of Omak Police Department activities, program, paid staff, and volunteers as it relates to the programs above.
- Identify Omak Police Department officers and conduct emphasis patrols for underage gathering to enforcement underage drinking and marijuana laws using a mutually agreed upon schedule.
- Identify Omak Police Department officers to conduct alcohol compliance checks at local retailers using mutually agreed upon schedule.
- Conduct background checks and training for mutually selected underage investigative aides for alcohol and marijuana compliance checks.
- Notify Okanogan County Community Coalition of youth alcohol and marijuana related citations and/or arrests, as appropriate following public disclosure and confidentiality laws.
- Provide invoices to Okanogan County Community Coalition for reimbursement of actual expenses relating to enforcement as they pertain to the programs above.

Stacey Okland
Executive Director,
Okanogan County Community Coalition

Signature



Date

10/1/2020

Jeff Koplin
Chief of Police,
Omak Police Department

Signature



Date

10-22-20

MEMORANDUM

To: Omak City Council
Cindy Gagnè, Mayor

From: Todd McDaniel

Date: November 2, 2020

Subject: Ordinance 1894 Fixing 2021 Ad Valorem Taxes

The Attached Ordinance 1894 - An Ordinance Fixing the Amount of the City of Omak's Financial Requirements to be Raised by Ad Valorem Taxes Upon All Taxable Property, Both Real and Personal, Within the City of Omak, Okanogan County, Washington, for the Ensuing Fiscal and Calendar Year 2021, is forwarded for your consideration.

Ordinance 1894 establishes the amount of property taxes to be collected for the fiscal year 2021. This Ordinance increases the levied amount, by the max allowable increase of 1%.

Actual levy rate for 2020 was \$865,570.00. In 2021 we have requested an additional \$8,655.70 to be collected.

The 2021 Levy Certification will be \$885,962.73. This will include estimates for new construction and State Utility contributions. This amount is included in the proposed 2021 budget.

This revenue source has typically been split between the Current Expense and the Street funds. These funds are needed to maintain the cost of services as identified in the proposed 2021 budget.

I support this ordinance and recommends it adoption

ORDINANCE NO. 1894

AN ORDINANCE FIXING THE AMOUNT OF THE CITY OF OMAK'S FINANCIAL REQUIREMENTS TO BE RAISED BY AD VALOREM TAXES UPON ALL TAXABLE PROPERTY, BOTH REAL AND PERSONAL, WITHIN THE CITY OF OMAK, OKANOGAN COUNTY, WASHINGTON, FOR THE ENSUING FISCAL AND CALENDAR YEAR 2021

WHEREAS, the City Council of the CITY OF OMAK, has properly given notice of the public hearing held November 2, 2020 to consider the City of Omak's budget for the 2021 calendar year, pursuant to RCW 84.55.120; and

WHEREAS, the City Council of the CITY OF OMAK, after hearing, and after duly considering all relevant evidence and testimony presented, has determined that the City of Omak requires an increase in property tax revenue from the previous year in order to discharge the expected expenses and obligations of the City of Omak and in its best interest; and

WHEREAS, the City of Omak's actual levy amount from 2020 was \$865,570.00; and

WHEREAS, the population of the City of Omak is less than 10,000

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OMAK DOES ORDAIN AS FOLLOWS:

Section 1. An increase in the regular property tax levy, in addition to any amount resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, is hereby authorized for the 2021 levy in the amount of \$ 874,225.70, which is a 1 percent increase of the previous year's tax levy or a total increase of \$8,655.70. This increase is exclusive of additional revenue resulting from the addition of new construction and improvement to property and any increase in the value of state assessed property, and any additional amounts resulting from any annexations that occurred and refunds made.

Section 2. This ordinance must be approved by a majority of the members of the Omak City Council and upon adoption of this ordinance fixing the amount of property taxes to be levied, the City Administrator shall certify the same to the Board of County Commissioners as required by statute.

Section 3. Upon adoption of this ordinance fixing the amount of ad valorem taxes to be levied, the City Administrator shall certify the same to the County Assessor of Okanogan County, Washington for the purpose of having said taxes extended on the tax rolls as provided by law and said Assessor is hereby authorized to extend said taxes accordingly.

Section 4. This ordinance shall be in full force and effect on and after the date of its passage, approval by the Mayor and publication as required by law.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF OMAK, this 2nd day of November, 2020.

APPROVED:

Cindy Gagné, Mayor

ATTEST:

Connie Thomas, City Clerk

APPROVED AS TO FORM:

Michael D. Howe, City Attorney

Filed with City Clerk: _____

Passed by City Council: _____

Date Published: _____

Date Effective: _____

SUMMARY OF ORDINANCE NO.1894 OF THE City of Omak, Washington.

On the _____ of _____, 2020, the City Council of the City of Omak, passed Ordinance No. 1894.

A summary of the content of said ordinance provides as follows:

AN ORDINANCE fixing the amount of the CITY OF OMAK'S financial requirements to be raised by ad valorem taxes upon all taxable property, both real and personal, within the CITY OF OMAK, OKANOGAN COUNTY, WASHINGTON, for the ensuing Fiscal and Calendar Year 2021. An increase in the regular property tax levy exclusive to any amount resulting from the addition of new construction and improvements to property and any increase in the value of state assessed property is hereby authorized for the 2021 levy in the amount of \$874,225.70, which is a 1 percent increase of the previous year's levy or \$8,655.70.

The full text of this ordinance will be mailed upon request.

Dated this _____ day of November 2020.

Connie Thomas, City Clerk

LEVY CERTIFICATION

In accordance with RCW 84.52.020, I, Todd McDaniel, City Administrator for the City of Omak, do hereby certify to Okanogan County legislative authority that the City Council of the City of Omak requests that the following levy amounts be collected in 2021 as provided in the City's budget, which was adopted following a public hearing held on November 2, 2020.

Regular Levy: \$ 885,962.73

Excess Levy: \$ None

Refund Levy: \$ None

Signature: _____

Date: _____

MEMORANDUM

To: Cindy Gagné, Mayor
Omak City Council

From: Tyler Wells
Building Official / Permit Administrator

Date: November 2, 2020

Subject: **Ordinance No. 1895 Amending OMC Title 17 – Subdivisions.**

The Attached Ordinance 1895, An Ordinance of The Omak City Council, Adopting Amendments to Chapter 17.36.010 of the City of Omak Municipal Code, is forwarded for your consideration.

Earlier this year the city received a request for a deviation from our street design standards. This was processed in accordance with OMC Title 19, a type II action. According to chapter 17.36.010 this should be reviewed as a type III action.

On October 6, 2020, at the Planning Commission public hearing, the proposed amendment was open for discussion from citizens and commissioners. At the conclusion, the Planning Commission unanimously approved the amendment and have forwarded this to City Council for your consideration.

This is a simple wording change to correct conflicts and clarify code regulations.

I support the passage of this Ordinance

ORDINANCE NO. 1895

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OMAK, WASHINGTON,
ADOPTING AMMENDMENTS TO CHAPTER 17.36.010 OF THE CITY OF OMAK
MUNICIPAL CODE.**

WHEREAS, conflicts inside Chapter 17 of the Omak Municipal Code (OMC), exist;
and

WHEREAS, amendments to Chapter 17 of the Omak Municipal Code are needed
to correct conflicts and clarify code regulations; and

WHEREAS, the city of Omak Planning Commission held an open record public
hearing on October 6, 2020, identifying the proposed amendments; and

WHEREAS, the city of Omak Planning Commission unanimously approved these
amendments.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OMAK,
WASHINGTON, DO ORDAIN as follows:**

Section 1. Repeal Section 17.36.010 Generally.

Repeal:

17.36.010 Generally.

An applicant for a short subdivision or subdivision who believes the design standards of Chapter [17.32](#) are inappropriate for the short subdivision or subdivision they are proposing may, as part of their submittal, request a deviation from those standards. All requests for deviations shall be reviewed as a Type III action and be processed in compliance with Title [19](#) and a recommendation regarding the requested deviation shall be made to the planning commission by the administrator and public works director. Recommendations shall be incorporated into the staff report.

(a) The exception request shall specify the design standards they desire to follow and the justification for using those standards rather than those specified in Chapter [17.32](#). Such justification may require preparation of a traffic study (including motorized and nonmotorized) at the applicant's expense as determined by the administrator;

(b) The planning commission shall review and evaluate all such requested exceptions to the standards of Chapter [17.32](#), with regard to the following factors:

(1) The comprehensive plan for the area and the suitability of the proposed standards in terms of the plan;

(2) The intensity and intended use of the proposed short subdivision or subdivision: the level of vehicle or pedestrian traffic expected; and level of guarantee, by zoning or commitments prohibiting further subdivision, so that further increases in traffic or density will not occur;

(3) The relationship of the proposed nonstandard street or other improvement to the overall street system or improvements in the area and possible need to extend those streets or improvements to serve adjacent properties that might be further divided; and

(4) The opportunity, by reducing the standards in accordance with subsections (b)(1), (2) and (3) of this section to accomplish a preservation of the natural environmental setting of the area being subdivided. This would occur as a result of having narrower cleared rights-of-way, less need for cuts and fill on cross slope roadways, and by the ability to more closely follow existing terrain if slope standards were relaxed. The intended end result would be less disturbance of vegetation, water courses, wetlands, topography, and riparian habitat.

(c) If the request is for a short subdivision, the planning commission shall consider the request at a public hearing and make a recommendation to the city council.

(d) If the request is part of the application for a subdivision, the request shall be reviewed in conjunction with the subdivision review and the planning commission shall specifically recommend approval, approval with modification, or disapproval of the deviation request as part of their recommendation regarding the subdivision to the city council. (Ord. 1812 § 1 (Exh. A)(part), 2015; Ord. 1226 (part), 1993).

Replace with:

17.36.010 Generally.

An applicant for a short subdivision or subdivision who believes the design standards of Chapter [17.32](#) are inappropriate for the short subdivision or subdivision they are proposing may, as part of their submittal, request a deviation from those standards. All requests for deviations shall be reviewed as a Type II action and be processed in compliance with Title [19](#) and a recommendation regarding the requested deviation shall be made to the planning commission by the administrator and public works director. Recommendations shall be incorporated into the staff report.

(a) The exception request shall specify the design standards they desire to follow and the justification for using those standards rather than those specified in Chapter [17.32](#). Such justification may require preparation of a traffic study (including motorized and nonmotorized) at the applicant's expense as determined by the administrator;

(b) The planning commission shall review and evaluate all such requested exceptions to the standards of Chapter [17.32](#), with regard to the following factors:

(1) The comprehensive plan for the area and the suitability of the proposed standards in terms of the plan;

(2) The intensity and intended use of the proposed short subdivision or subdivision: the level of vehicle or pedestrian traffic expected; and level of guarantee, by zoning or commitments prohibiting further subdivision, so that further increases in traffic or density will not occur;

(3) The relationship of the proposed nonstandard street or other improvement to the overall street system or improvements in the area and possible need to extend those streets or improvements to serve adjacent properties that might be further divided; and

(4) The opportunity, by reducing the standards in accordance with subsections (b)(1), (2) and (3) of this section to accomplish a preservation of the natural environmental setting of the area being subdivided. This would occur as a result of having narrower cleared rights-of-way, less need for cuts and fill on cross slope roadways, and by the ability to more closely follow existing terrain if slope standards were relaxed. The intended end result would be less disturbance of vegetation, water courses, wetlands, topography, and riparian habitat.

(c) If the request is for a short subdivision, the planning commission shall consider the request at a public hearing and make a recommendation to the city council.

(d) If the request is part of the application for a subdivision, the request shall be reviewed in conjunction with the subdivision review and the planning commission shall specifically recommend approval, approval with modification, or disapproval of the deviation request as part of their recommendation regarding the subdivision to the city council. (Ord. 1812 § 1 (Exh. A)(part), 2015; Ord. 1226 (part), 1993).

Section 2. This ordinance shall become effective from and after its passage by a majority vote of the City Council, approval by the Mayor, and five days after publication of a summary of the ordinance, as required by law.

APPROVED AND ADOPTED by the City Council of the City of Omak, this _____ day of _____, 2020.

APPROVED:

Cindy Gagne, Mayor

ATTEST:

Connie Thomas, City Clerk

APPROVED AS TO FORM:

Michael Howe, City Attorney

Filed with City Clerk: _____
Passed by City Council: _____
Date Published: _____
Date Effective: _____

On the _____ day of _____, 2020, the City Council of the City of Omak
passed Ordinance No. 1895

DATED this _____ day of _____, 2020.

Connie Thomas, City Clerk



City of Omak
PO Box 72
Omak, WA 98841
Phone: 509-826-1170

LETTER OF TRANSMITTAL

DATE: October 8, 2020
TO: Omak City Council
FROM: Sheila Harrison, Acting Chairman
Omak Planning Commission
RE: Planning Commission Recommendation – Omak Municipal Code Amendments to Title 17

Dear Councilmembers;

The Omak Planning Commission, in regular session October 6, 2020, Public Hearing, reviewed proposed amendments to chapter 17.36.010 of the Omak Municipal Code as presented from Omak Building Official Tyler Wells.

The following motion was made:

“Commissioner Barry Hansen, seconded by Commissioner Erin Munding that the City Council adopt the amendments to chapter 17.36.010 of the Omak Municipal Code as set forth in attachment B of the Staff Report. Motion carried.”

Thank you for your time and consideration.

Sincerely,


Sheila Harrison, Acting Chairman
Omak Planning Commission

OCTOBER 6, VIA ZOOM DRAFT
OMAK PLANNING COMMISSION AND PUBLIC HEARING
PLANNING MINUTES

Call to Order:

Chairwoman Harrison called the meeting and public hearing via Zoom of the Omak Planning Commission to order at 5:37 PM and a quorum was established.

Commissioner & Administrative Personnel:

Sheila Harrison, Chair	Kurt Danison, Contract Planner
Stacey Okland, Vice Chair	Tyler Wells, Building Official
Pat Davisson-absent	Amber Scott, Deputy Clerk
Erin Munding	
Barry Hansen	
Anne Potter-absent	

Public Hearing- Zoning and Sub-Division Codes Discrepancies

Chairwoman Harrison opened the Public Hearing for the Zoning and Sub-Division Code Discrepancies in the Omak Municipal Code. Chairwoman Harrison read the public hearing disclaimer for the record. None of the members excused themselves from the hearing and none of the members have engaged in communication outside the hearing. Chairwoman Harrison asked Building Official, Tyler Wells to summarize his staff report. Tyler Wells had given the Commissioners a Memorandum explaining the proposed Code and Sub-Division amendments. See attached memorandum for the discrepancies. Chairwoman Harrison asked if any members of the public and or Commissioners had any questions and concerns. There were no questions or concerns. Chairwoman explained since we are amending two separate code chapters, the commission will need to pass an individual motion for the Zoning and Subdivision Codes.

Motion #1-Moved by Commissioner Erin Munding, seconded by Commissioner Stacey Okland that the City Council adopt amendments to Chapters 18.11.020, 18.16.122, 18.16.020 and 18.52.010 of the Omak Municipal Code as set forth in Attachment "A" of the Staff Report.

Motion #2-Moved by Commissioner Barry Hansen, seconded by Commissioner Erin Munding that the Council adopt amendments to Chapter 17.36.010 of the Omak Municipal Code as set forth in Attachment "B" of the Staff Report.

Chairwoman Harrison Closed the public hearing at 5:50PM.

Approval of Minutes – September 1, 2020 Meeting

Commissioner Hansen moved, seconded by Commissioner Munding, to approve the September 5, 2020 meeting minutes. Motion carried.

Contract Planner, Kurt Danison introduced Nancy Nash of the Housing Authority and Sarah Brede of ZBA Architecture. They are present to answer any questions or concerns regarding the agenda item E. He asked if the commissioners minded switching D and E, as the guests wouldn't have to wait through Agenda item D. The Commissioners had no problem with it.

Parking Standards-Meadowlark Senior Housing Project

Nancy Nash of the Housing Authority and Sarah Brede of ZBA Architecture were present to answer any questions or concerns regarding the proposed modifications of the parking standards in the Omak Municipal Code chapter 18,16 Table 2.0. for the future Meadowlark Senior Housing Project. They are asking for a reduction to 1.5 stalls per dwelling unit. Tyler Wells, Building Official explained in

OCTOBER 6, VIA ZOOM DRAFT
OMAK PLANNING COMMISSION AND PUBLIC HEARING
PLANNING MINUTES

the last few weeks he has driven by the existing senior housing development several times and at different times of day to see if there is an excess of vehicles in the parking lot. He stated he has seen no concern of excess. Nancy Nash further explained, the parking lot is usually of care providers and visitors stopping in, she said most of the seniors use public transportation. Commissioner Munding asked if it was open parking, Nancy Nash explained that it was. Commissioner Munding moved, seconded by Commissioner Hansen to approve the proposed modification of parking standards of the Omak Municipal code Chapter 18.16 Table 2.0 to reduce the parking stalls to 1.5 per unit at the Meadowlark Senior Housing. Motion carried.

Transportation Element-Comp Plan

Kurt Danison, Contract Planner explained the WSDOT created a US 97 Omak Area Transportation Study in 2019. This detailed study was given to the Commissioners in 2019. Kurt Danison, suggested the next area of discussion is US 97 and Shumway Road. He explained this study is important to add to the comp plan. Listed below are recommendations from the WSDOT.

5.0 Strategy Descriptions and Recommendations

Focus Area 2- US 97 and Shumway Road

Strategy 1-Single Lane Roundabout

Strategy 2-Traffic Signal

Strategy 3-Add Fourth Leg with Two-Way Stop Control

After discussing each idea, and the Commissioners would recommend lowering the speed limit and adding an intersection. Commissioner Oakland and Munding are concerned about turning left onto US 97. Kurt Danison explained any future growth in the area, that the developers would have to conduct a traffic study. He also reminded that this study is on a state highway, as a city we can give recommendations. Kurt Danison, Contract Planner will create a draft of the Commissioners recommendations.

Other Business

Kurt Danison, Contract Planner gave an update to the Commissioners regarding the RCO grant for the future skatepark. He said out of 84 applicants the city was at 25 on the list. He will continue keeping the Commissioners up to date on the grant process.

Tyler Wells said he is hoping the application for the 400-unit mobile home park will be submitted by end of October or first of November.

As there was no further business, the meeting was adjourned at 6:20 p.m.

SIGNED:

Sheila Harrison, Chair

Amber Scott, Deputy Clerk

MEMORANDUM

To: Cindy Gagné, Mayor
Omak City Council

From: Tyler Wells
Building Official / Permit Administrator

Date: November 2, 2020

Subject: **Ordinance 1896 Amending OMC Title 18 - Zoning**

The Attached Ordinance 1896, An Ordinance of The Omak City Council, Adopting Amendments to Chapter 18.11.020, 18.16.020, 18.16.122, and 18.52.010 of the City of Omak Municipal Code, is forwarded for your consideration.

I have spent a lot of time navigating through our Omak Municipal Code, particularly in Title 18 Zoning. I have found several conflicts and would like to have them amended for clarification purposes.

On October 6, 2020, at the Planning Commission public hearing, these proposed amendment were open for discussion from citizens and commissioners. At the conclusion, the planning commission unanimously approved these amendments and have forwarded them to City Council for your consideration.

These are simple wording changes to correct conflicts and clarify code regulations.

I support the passage of this Ordinance

ORDINANCE NO. 1896

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OMAK, WASHINGTON, ADOPTING AMMENDMENTS TO CHAPTERS 18.11.020, 18.16.020, 18.16.122, and 18.52.010 OF THE CITY OF OMAK MUNICIPAL CODE.

WHEREAS, conflicts inside Chapter 18 of the Omak Municipal Code (OMC), exist; and

WHEREAS, amendments to Chapter 18 of the Omak Municipal Code are needed to correct conflicts and clarify code regulations; and

WHEREAS, the city of Omak Planning Commission held an open record public hearing on October 6, 2020, identifying these proposed amendments; and

WHEREAS, the city of Omak Planning Commission unanimously approved these amendments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OMAK, WASHINGTON, DO ORDAIN as follows:

Section 1. Repeal Section 18.11.020 Accessory uses.

Repeal:

18.11.020 Accessory uses.

- (a) General. These uses shall be limited to those normally found in conjunction with one of the primary permitted uses and are allowed outright but only in conjunction with an existing, permitted use.
- (b) Accessory Buildings. These buildings shall not exceed fifteen feet in height or one story. The location of a detached accessory building shall generally be located in the rear yard of the lot, and shall not project beyond the front line of the main building.
- (c) Accessory Dwellings. Accessory dwellings shall be permitted subject to Section [18.11.050](#), District use chart, and Section [18.16.124](#). (Ord. 1877 § 6, 2019; Ord. 1286 (part), 1995).

Replace with:

18.11.020 Accessory uses.

- (a) General. These uses shall be limited to those normally found in conjunction with one of the primary permitted uses and are allowed outright but only in conjunction with an existing, permitted use.

(b) Accessory Buildings. These buildings shall not exceed the allowable height as defined in OMC-18.16.020 for each applicable zoning district. The location of a detached accessory building shall generally be located in the rear yard of the lot, and shall not project beyond the minimum front yard setback as defined in OMC- 18.16.020 for each applicable zoning district.

(c) Accessory Dwellings. Accessory dwellings shall be permitted subject to Section [18.11.050](#), District use chart, and Section [18.16.124](#). (Ord. 1877 § 6, 2019; Ord. 1286 (part), 1995).

Section 2. Repeal section 18.16.020 General development standards.

Repeal:

18.16.020 General development standards.

General development standards including setbacks, unit size, building height, lot size, lot coverage, and density for all districts are listed below in Table 1.0. Additional specific development standards may be listed within Chapters [18.20](#) through [18.40](#) of this title.

Table 1.0

GENERAL DEVELOPMENT STANDARDS FOR ALL DISTRICTS*

DISTRICT	Residential Single Unit RS	Residential Duplex RD	Residential Multi Unit RM	Central Business CB	Planned Shopping PS	Highway Business HB	Commercial Industrial CI	Light Industrial LI	Highway Industrial HI	UNITS
Setback: front	20	20	20	0	0	0	15	15	15	feet
Setback: side, interior	5	5	°	0 ^f	0 ^f	0 ^f	10 ^h	10 ^h	10 ^h	feet
Setback: side, street	15	15	15	0	0	0	10	10	10	feet
Setback: rear, main building	20	20	20	8 ^a	8 ^a	8 ^a	10 ^h	10 ^h	10 ^h	feet
Setback: rear, accessory building	3	3	3	8 ^a	8 ^a	8 ^a	10 ^h	10 ^h	10 ^h	feet
Minimum unit size	500	500	320	320 ^e	320 ^e	320 ^e	320 ^e	320 ^e	320 ^e	square feet
Maximum building height	35	35	45	50	50	50	50	50	50	feet

Table 1.0

GENERAL DEVELOPMENT STANDARDS FOR ALL DISTRICTS*

DISTRICT	Residential Single Unit RS	Residential Duplex RD	Residential Multi Unit RM	Central Business CB	Planned Shopping PS	Highway Business HB	Commercial Industrial CI	Light Industrial LI	Highway Industrial HI	UNITS
Minimum lot size	6000 ^a	6000	^b	0	5000	0	0	0	0	square feet
Maximum building coverage	45	45 ^d	45 ^d	—	60	—	—	—	—	percent of area
Allowed density	6	10	36	—	—	—	—	—	—	units per acre

* Except AI—Airport Industrial (Chapter [18.38](#)) and PU—Public Use (Chapter [18.40](#)) districts. Refer to their respective sections.

^a Except a single unit (detached) dwelling may be allowed on any lot of fifty feet in width in areas platted before January 8, 1962, and on any lot of sixty feet wide in areas platted thereafter.

^b Minimum Lot Sizes. Single-unit dwelling: 6,000 sf. Duplexes: 8,000 sf. Apartment buildings: 6,000 sf. plus 1,000 sf. for each additional unit over six. All other uses: 10,000 sf.

^c 10 ft. when abutting an RS, or RD district; 5 ft. when abutting a CB, HB, PS, LI, HI, or AI district; no setback when abutting PU or other RM properties.

^d Unless the required off-street parking is undercover, then the building coverage may be increased to sixty percent.

^e Limited to second story or above residential uses unless part of an approved multifamily or mixed use complex.

^f 10 ft. when abutting an RS, RM, or RD district.

^g 12 ft. when abutting an RS, RM, or RD district.

^h 20 ft. when abutting an RS, RM, or RD district.

(Ord. 1877 § 9, 2019; Ord. 1667 § 14, 2010; Ord. 1325 § 3, 1996; Ord. 1286 (part), 1995).

Replace with:

18.16.020 General development standards.

General development standards including setbacks, unit size, building height, lot size, lot coverage, and density for all districts are listed below in Table 1.0. Additional specific development standards may be listed within Chapters [18.20](#) through [18.40](#) of this title.

Table 1.0

GENERAL DEVELOPMENT STANDARDS FOR ALL DISTRICTS*

DISTRICT	Residential Single Unit RS	Residential Duplex RD	Residential Multi Unit RM	Central Business CB	Planned Shopping PS	Highway Business HB	Commercial Industrial CI	Light Industrial LI	Highway Industrial HI	UNITS
Setback: front	20	20	20	0	0	0	15	15	15	feet
Setback: side, interior	5	5	^c	0 ^f	0 ^f	0 ^f	10 ^h	10 ^h	10 ^h	feet
Setback: side, street	15	15	15	0	0	0	10	10	10	feet
Setback: rear, main building	20	20	20	8 ^g	8 ^g	8 ^g	10 ^h	10 ^h	10 ^h	feet
Setback: rear, accessory building	5	5	5	8 ^g	8 ^g	8 ^g	10 ^h	10 ^h	10 ^h	feet
Minimum unit size	500	500	320	320 ^e	320 ^e	320 ^e	320 ^e	320 ^e	320 ^e	square feet
Maximum building height	35	35	45	50	50	50	50	50	50	feet
Minimum lot size	6000 ^a	6000	^b	0	5000	0	0	0	0	square feet
Maximum building coverage	45	45 ^d	45 ^d	—	60	—	—	—	—	percent of area
Allowed density	6	10	36	—	—	—	—	—	—	units per acre

* Except AI—Airport Industrial (Chapter [18.38](#)) and PU—Public Use (Chapter [18.40](#)) districts. Refer to their respective sections.

^a Except a single unit (detached) dwelling may be allowed on any lot of fifty feet in width in areas platted before January 8, 1962, and on any lot of sixty feet wide in areas platted thereafter.

^b Minimum Lot Sizes. Single-unit dwelling: 6,000 sf. Duplexes: 8,000 sf. Apartment buildings: 6,000 sf. plus 1,000 sf. for each additional unit over six. All other uses: 10,000 sf.

- c 10 ft. when abutting an RS, or RD district; 5 ft. when abutting a CB, HB, PS, LI, HI, or AI district; no setback when abutting PU or other RM properties.
- d Unless the required off-street parking is undercover, then the building coverage may be increased to sixty percent.
- e Limited to second story or above residential uses unless part of an approved multifamily or mixed use complex.
- f 10 ft. when abutting an RS, RM, or RD district.
- g 12 ft. when abutting an RS, RM, or RD district.
- h 20 ft. when abutting an RS, RM, or RD district.

(Ord. 1877 § 9, 2019; Ord. 1667 § 14, 2010; Ord. 1325 § 3, 1996; Ord. 1286 (part), 1995).

Section 3. Repeal Section 18.16.122 Accessory structures.

Repeal:

18.16.122 Accessory structures.

The following regulations apply to detached accessory structures such as sheds and garages associated with single-family residences in all zoning districts:

- (1) All accessory structures shall meet the minimum front and side yard setbacks in the applicable zoning district and a minimum five-foot setback in the rear yard. All such accessory structures shall also meet the requirements of the building code currently in use by the city at the time of construction for setbacks between buildings.
- (2) The maximum building footprint of an accessory structure shall be no greater than the building footprint of the main structure subject to building coverage standards in Table 1.0 in Section [18.16.020](#).
- (3) The maximum height of accessory structures shall be limited by the maximum building height for the zoning district in which it is located.
- (4) With the exception of approved accessory dwelling units, accessory structures shall not be designed, constructed, or used as habitable structures for living, sleeping, eating, or cooking unless the structure is associated with a business that requires such facilities under which a CUP will be required.
- (5) Each accessory structure shall be compatible with the character of the zone in which it is located and the allowed uses therein. Accessory structures in excess of 12 feet in height or 300 square feet in area shall feature exterior siding similar in appearance to and compatible with the building materials of the primary structure.
- (6) No accessory structure shall create a nuisance or hazard, including noise, dust, or threat to air or water quality or to the well-being of the city and the area in which the accessory use or structure is located. (Ord. 1667 § 11, 2010).

Replace with:

18.16.122 Accessory structures.

The following regulations apply to detached accessory structures such as sheds and garages associated with single-family residences in all zoning districts:

- (1) All accessory structures shall meet the minimum front and side yard setbacks in the applicable zoning district and a minimum five-foot setback in the rear yard. All such accessory structures shall also meet the requirements of the building code currently in use by the city at the time of construction for setbacks between buildings.
- (2) The maximum building footprint of an accessory structure shall be subject to building coverage standards in Table 1.0 in Section [18.16.020](#).
- (3) The maximum height of accessory structures shall be limited by the maximum building height for the zoning district in which it is located.
- (4) With the exception of approved accessory dwelling units, accessory structures shall not be designed, constructed, or used as habitable structures for living, sleeping, eating, or cooking unless the structure is associated with a business that requires such facilities under which a CUP will be required.
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- (6) No accessory structure shall create a nuisance or hazard, including noise, dust, or threat to air or water quality or to the well-being of the city and the area in which the accessory use or structure is located. (Ord. 1667 § 11, 2010).

Section 4. Repeal Section 18.52.010 Interpretation.

Repeal:

18.52.010 Interpretation.

(a) In interpreting and applying the provisions of this title, the provisions shall be held to be the minimum requirements for the promotion of health, safety and general welfare of the public. Therefore, where the provisions of this title impose a greater restriction upon the use of buildings and premises or upon the height of buildings or structures, or require larger open spaces than are imposed or required by other laws, ordinances, easements, regulations, codes or covenants, the provisions of this title shall control.

In case of a conflict between a general requirement and a specific requirement, the least restrictive shall apply.

(b) The planning commission shall review and determine any questions involving the proper interpretation or application of the provisions, use, or district boundaries of this title that may be requested by any property owner, tenant, government officer, department, hearings examiner or commission affected.

(c) Recognizing that there may be uses not specifically mentioned in this title, either because of advancing technology or any other reason, administrator may permit such use to be established if it is clearly evident that the use is similar and in conformity with the designated permitted uses of the use district in which it is to be located. When there is doubt as to the proper classification of a use, the planning commission shall rule on the matter. The hearing examiner's decision shall be in keeping with the spirit and intent of this title and of the comprehensive plan.

The secretary of the planning commission shall keep a record of all interpretations and rulings made by the planning commission, and such decisions shall be binding.

The hearing examiner shall report his/her findings to the planning commission when it appears desirable and necessary to amend this title. (Ord. 1667 § 21, 2010; Ord. 1562 § 6, 2006; Ord. 1344 § 1 (part), 1997; Ord. 1286 (part), 1995).

Replace with:

18.52.010 Interpretation.

(a) In interpreting and applying the provisions of this title, the provisions shall be held to be the minimum requirements for the promotion of health, safety and general welfare of the public. Therefore, where the provisions of this title impose a greater restriction upon the use of buildings and premises or upon the height of buildings or structures, or require larger open spaces than are imposed or required by other laws, ordinances, easements, regulations, codes or covenants, the provisions of this title shall control.

In case of a conflict between a general requirement and a specific requirement, the most restrictive shall apply.

(b) The planning commission shall review and determine any questions involving the proper interpretation or application of the provisions, use, or district boundaries of this title that may be requested by any property owner, tenant, government officer, department, hearings examiner or commission affected.

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Section 5. This ordinance shall become effective from and after its passage by a majority vote of the City Council, approval by the Mayor, and five days after publication of a summary of the ordinance, as required by law.

APPROVED AND ADOPTED by the City Council of the City of Omak, this _____ day of _____, 2020.

APPROVED:

Cindy Gagne, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Thomas, City Clerk

Michael Howe, City Attorney

Filed with City Clerk: _____

Passed by City Council: _____

Date Published: _____

Date Effective: _____

On the _____ day of _____, 2020, the City Council of the City of Omak passed Ordinance No. 1896

DATED this _____ day of _____, 2020.

Connie Thomas, City Clerk



City of Omak
PO Box 72
Omak, WA 98841
Phone: 509-826-1170

LETTER OF TRANSMITTAL

DATE: October 8, 2020
TO: Omak City Council
FROM: Sheila Harrison, Acting Chairman
Omak Planning Commission
RE: Planning Commission Recommendation – Omak Municipal Code Amendments to Title 18

Dear Councilmembers;

The Omak Planning Commission, in regular session October 6, 2020, Public Hearing, reviewed proposed amendments to chapters 18.11.020, 18.16.020, 18.16.122, and 18.52.010 of the Omak Municipal Code as presented from Omak Building Official Tyler Wells.

The following motion was made:

“Commissioner Erin Munding, seconded by Commissioner Stacey Okland that the City Council adopt the amendments to chapters 18.11.020, 18.16.020, 18.16.122, and 18.52.010 of the Omak Municipal Code as set forth in attachment A of the Staff Report. Motion carried.”

Thank you for your time and consideration.

Sincerely,

Sheila Harrison, Acting Chairman
Omak Planning Commission

OCTOBER 6, VIA ZOOM DRAFT
OMAK PLANNING COMMISSION AND PUBLIC HEARING
PLANNING MINUTES

Call to Order:

Chairwoman Harrison called the meeting and public hearing via Zoom of the Omak Planning Commission to order at 5:37 PM and a quorum was established.

Commissioner & Administrative Personnel:

Sheila Harrison, Chair	Kurt Danison, Contract Planner
Stacey Okland, Vice Chair	Tyler Wells, Building Official
Pat Davisson-absent	Amber Scott, Deputy Clerk
Erin Munding	
Barry Hansen	
Anne Potter-absent	

Public Hearing- Zoning and Sub-Division Codes Discrepancies

Chairwoman Harrison opened the Public Hearing for the Zoning and Sub-Division Code Discrepancies in the Omak Municipal Code. Chairwoman Harrison read the public hearing disclaimer for the record. None of the members excused themselves from the hearing and none of the members have engaged in communication outside the hearing. Chairwoman Harrison asked Building Official, Tyler Wells to summarize his staff report. Tyler Wells had given the Commissioners a Memorandum explaining the proposed Code and Sub-Division amendments. See attached memorandum for the discrepancies. Chairwoman Harrison asked if any members of the public and or Commissioners had any questions and concerns. There were no questions or concerns. Chairwoman explained since we are amending two separate code chapters, the commission will need to pass an individual motion for the Zoning and Subdivision Codes.

Motion #1-Moved by Commissioner Erin Munding, seconded by Commissioner Stacey Okland that the City Council adopt amendments to Chapters 18.11.020, 18.16.122, 18.16.020 and 18.52.010 of the Omak Municipal Code as set forth in Attachment "A" of the Staff Report.

Motion #2-Moved by Commissioner Barry Hansen, seconded by Commissioner Erin Munding that the Council adopt amendments to Chapter 17.36.010 of the Omak Municipal Code as set forth in Attachment "B" of the Staff Report.

Chairwoman Harrison Closed the public hearing at 5:50PM.

Approval of Minutes – September 1, 2020 Meeting

Commissioner Hansen moved, seconded by Commissioner Munding, to approve the September 5, 2020 meeting minutes. Motion carried.

Contract Planner, Kurt Danison introduced Nancy Nash of the Housing Authority and Sarah Brede of ZBA Architecture. They are present to answer any questions or concerns regarding the agenda item E. He asked if the commissioners minded switching D and E, as the guests wouldn't have to wait through Agenda item D. The Commissioners had no problem with it.

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Nancy Nash of the Housing Authority and Sarah Brede of ZBA Architecture were present to answer any questions or concerns regarding the proposed modifications of the parking standards in the Omak Municipal Code chapter 18,16 Table 2.0. for the future Meadowlark Senior Housing Project. They are asking for a reduction to 1.5 stalls per dwelling unit. Tyler Wells, Building Official explained in

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the last few weeks he has driven by the existing senior housing development several times and at different times of day to see if there is an excess of vehicles in the parking lot. He stated he has seen no concern of excess. Nancy Nash further explained, the parking lot is usually of care providers and visitors stopping in, she said most of the seniors use public transportation. Commissioner Munding asked if it was open parking, Nancy Nash explained that it was.

Commissioner Munding moved, seconded by Commissioner Hansen to approve the proposed modification of parking standards of the Omak Municipal code Chapter 18.16 Table 2.0 to reduce the parking stalls to 1.5 per unit at the Meadowlark Senior Housing. Motion carried.

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Strategy 3-Add Fourth Leg with Two-Way Stop Control

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Tyler Wells said he is hoping the application for the 400-unit mobile home park will be submitted by end of October or first of November.

As there was no further business, the meeting was adjourned at 6:20 p.m.

SIGNED:

Sheila Harrison, Chair

Amber Scott, Deputy Clerk