



# PLANNING COMMISSION

## AGENDA

November 25, 2014

ROLL CALL:            FAKKEMA \_\_\_\_\_ WASINGER \_\_\_\_\_  
                              PICCONE \_\_\_\_\_ PETERSON \_\_\_\_\_  
                              FREEMAN \_\_\_\_\_ SCHLECHT \_\_\_\_\_  
                              PIERCE \_\_\_\_\_

1.     *Page 4*  
      **Approval of Minutes – October 28, 2014**
  
2.     **Public Comment** – Planning Commission will accept public comment for items not otherwise on the agenda for the first 15 minutes of the Planning Commission meeting.
  
3.     *Page 14*  
      **DRAFT COUNTYWIDE PLANNING POLICIES – Public Meeting**  
      The Countywide Planning Policies (CWPP) are policy statements adopted by Island County and the jurisdictions within intended to establish a countywide framework from which county and city comprehensive plans are developed. Adoption of the CWPP is required by the Growth Management Act and they are being revised as part of the 2016 update to the Comprehensive Plan. Staff will brief the Planning Commission on the current status of this project.
  
4.     *Page 16*  
      **2015 COMPREHENSIVE PLAN AMENDMENT – Public Meeting**  
      The process for the annual amendments for the 2015 Comprehensive Plan Amendment cycle was initiated in October with a notice to the newspaper. Applications for sponsored amendments are due on December 1, 2015. A major portion of 2015 will be dedicated to updating the Comprehensive Plan for the 2016 major update. Staff will initiate a discussion with the Planning Commission on potential amendments for the 2015 Comprehensive Plan amendment cycle.

# MINUTES

October 28, 2014

**PLANNING COMMISSION  
REGULAR MEETING  
CITY HALL – COUNCIL CHAMBERS  
October 28, 2014**

**ROLL CALL: Present:** Keith Fakkema, Bruce Freeman, Sandi Peterson, Ana Schlecht and Cecil Pierce  
**Absent:** Greg Wasinger and Mike Piccone  
**Staff Present:** Development Services Director, Steve Powers; City Engineer, Joe Stowell; Senior Planner, Cac Kamak and Associate Planner Ray Lindenburg

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

**MINUTES: MR. FREEMAN MOVED, MS. SCHLECHT SECONDED, MOTION CARRIED TO APPROVE THE SEPTEMBER 23, 2014 MINUTES AS PRESENTED.**

**PUBLIC COMMENT:**

None.

**SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP) – Public Hearing**

Mr. Stowell displayed a PowerPoint presentation (PC Attachment 1) summarizing the purpose, background and projects listed in the TIP. Mr. Stowell concluded by recommending that the Planning Commission hold a public hearing and recommend that the City Council to approve the 2015-2020 TIP.

Mr. Fakkema opened the public hearing for public comment at 7:38 p.m. Seeing none the public hearing was closed.

**Planning Commission Discussion**

Planning Commission asked how accessible grants are for the projects listed on the TIP and the Capital Improvement Program (CIP). Mr. Stowell said that the projects have to meet certain criteria and that there are finite funds available. Mr. Powers explained that for the TIP, the focus is on Regional Transportation Planning Organization (RTPO) grants which are federal dollars that flow through the State, through the County to local jurisdictions. The primary reason for the TIP is to make the projects listed in the TIP eligible for RTPO grant funds. The grant funds listed next to some of the projects in the Capital Improvement Program are staff's best estimate of realistically available sources for grants. Street projects include RTPO grants and Transportation Improvement Board (TIB) grants.

**ACTION: MS. PETERSON MOVED, MR. FREEMAN SECONDED, MOTION CARRIED TO RECOMMEND THAT THE CITY COUNCIL ADOPT THE 2015-2020 SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM.**

**2014 COMPREHENSIVE PLAN AMENDMENTS; 2015 – 2020 CAPITAL IMPROVEMENT PLAN – Public Hearing**

Mr. Kamak displayed a PowerPoint presentation (PC Attachment 2) which summarized the Comprehensive Plan amendment process, background, criteria and the amendments which include:

- Updates to the Capital Improvement Plan 2015 - 2020
- Amendment to the future land use map to correct the UGA boundaries

- Amendment to the future land use map to change the land use designation of 1000 SE City Beach Street from High Density Residential to Public Facilities
- Amending Goal 5 of the Urban Design Element to add scenic corridors identified through a scenic view study

Mr. Kamak concluded his presentation by recommending that the Planning Commission hold a public hearing on the CIP 2015-2020 and make a recommendation to the City Council to adopt the 2014 Comprehensive Plan Amendments.

Mr. Fakkema opened the public hearing at 7:58 p.m. for public comment. Seeing none the public hearing was closed.

**ACTION: MS. SCHLECHT MOVED, MS. PETERSON SECONDED, MOTION CARRIED TO RECOMMEND THAT THE CITY COUNCIL ADOPT THE 2014 COMPREHENSIVE PLAN AMENDMENTS THAT INCLUDE UPDATES TO THE CAPITAL IMPROVEMENTS PLAN (CIP), AMENDMENTS TO THE FUTURE LAND USE MAP TO CORRECT THE UGA BOUNDARIES AND CHANGE THE DESIGNATION OF 1000 SE CITY BEACH STREET FROM HIGH DENSITY RESIDENTIAL TO PUBLIC FACILITIES, AND AMENDING GOAL 5 OF THE URBAN DESIGN ELEMENT TO ADD SCENIC CORRIDORS IDENTIFIED THROUGH A SCENIC VIEW STUDY.**

**DRAFT COUNTYWIDE PLANNING POLICIES – Public Meeting**

Mr. Powers displayed a PowerPoint presentation (PC Attachment 3) which summarized the Growth Management Act requirements for county-wide planning policies including what the policies must address. Mr. Powers also introduced Will Simpson of the Island County Planning and Community Development.

Mr. Powers explained that the county-wide planning policies establish a framework by which all of the jurisdictions produce their GMA Comprehensive Plan. GMA requires that jurisdictions have Comprehensive Plans that are consistent with each another and the County takes the lead in the process. Mr. Powers stated that the current draft has clear definitions, is more detailed, acknowledges differences between rural and urban area and includes a “how to” section.

The next steps will be to continue work with County & others, a joint workshop with City Council and Planning Commission and public hearings with the Planning Commission and then the City Council.

**Planning Commission Discussion**

Planning Commission asked staff about annexations and county enclaves.

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

**ADJOURN: 8:20 p.m.**

Minutes submitted by: Katherine Gifford

## Transportation Improvement Program 2015-2020



Planning Commission  
10/28/2014

## Purpose

- Meet the public hearing requirement
- Seek Planning Commission's recommendation of the 2015-2020 Transportation Improvement Program (TIP) to City Council



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## Background

- Required by State Law
- Updated every year
- 6 year plan
- TIP is used to facilitate use of Federal transportation funds on City projects



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## Background

- Plan is forwarded to the Regional Transportation Planning Organization (RTPO)
- RTPO in turn submits a regional TIP to the State
- State prepares statewide TIP in January of each year



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## Projects

1. SW Heller Street Improvements – Swantown to Whidbey
2. Whidbey Avenue Reconstruction – Heller to Regatta
3. Midway / NE 7<sup>th</sup> – Intersection Signalization
4. Eagle Vista Extension – SR-20 to SW Rosario Place
5. SE 4<sup>th</sup> Reconstruction – Midway to Ely



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## Projects

6. SR-20 Improvements – Roundabouts
7. Whidbey Avenue Pedestrian Crossing
8. Water Front Trail Enhancement Project
9. NW Heller Street Overlay - Whidbey to Crosby
10. Update to the Transportation Element of the Comprehensive Plan



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## New TIP Projects

9. NW Heller Street Overlay:

- 2-inch-thick overlay of the surface of NW Heller Street from West Whidbey Avenue to NW Crosby Avenue.
- Purpose: Preservation of the existing road by replacing the wearing surface.
- Curb ramps will also be reconstructed; enhances safety and increases compliance with the ADA.



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## New TIP Projects

10. Update of the Transportation Element of the Comprehensive Plan:

- Required by GMA.
- Foundation for all planned transportation projects.



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## Funding

- No funds required to develop TIP



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## Requested Action

- Conduct a public hearing on the 2015-2020 TIP
- Recommend that City Council adopt the 2015-2020 six-year Transportation Improvement Program



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# 2014 COMPREHENSIVE PLAN

Annual Amendments

- ## Process
- October 2013 – notice on amendments
  - December 1, 2013 – deadline for sponsored amendments
  - January 2014 – Public Hearing on preliminary docket before the Planning Commission
  - March 2014 – City Council adopts the annual docket
  - April – September – review, analysis and hearing on individual amendments
  - August end – notification to Department of Commerce
  - September – SEPA checklist
  - October – SEPA Determination
  - October – Planning Commission Hearing
  - November/December – City Council Action on Amendments

- ## 2014 Annual Docket
- Land Use Change – 1000 SE City Beach Street from High Density Residential to Public Facilities
  - UGA Boundary amendment/correction
  - Scenic View corridors
  - Capital Improvements Plan 2015-2020

- ## 2014 Amendments
- 1000 SE City Beach Street – High Density Residential to Public Facilities – Public Hearing conducted on June 24, 2014 – recommended approval
  - UGA Boundary amendment/correction – Public Hearing conducted on August 26, 2014 – recommended approval
  - Scenic View corridors – Public Hearing conducted on August 26, 2014
  - Capital Improvements Plan 2015-2020 – introduced on September 23 and Public Hearing October 28, 2014.

- ## Capital Improvements Plan 2015-2020
- Changes to the format
  - Updated statistics
  - Updated Revenues and expenditures
  - Schedules based on available resources
  - Considered part of the annual amendment process but will be adopted with the budget

## Capital Improvements Plan 2015-2020

### Streets

Projects	Total Project Costs	Schedule						
		2015	2016	2017	2018	2019	2020	
Local Street Overlay	2,100,000	0	0	500,000	500,000	500,000	500,000	
Bayshore Drive Extension	3,500,000	0	0	0	0	3,500,000	0	
Whidbey Avenue Crosswalk	224,500	224,500	0	0	0	0	0	
Waterfront Trail (Vedders' Park)	150,000	150,000	0	0	0	0	0	
Udall Street Overlay (Whidbey to Crosby)	345,000	0	0	0	0	345,000	0	
W. Pioneer City Beach/Bayshore Intersection	3200,000	0	0	0	0	3200,000	0	
Protestant Access Improvements	498,000	0	0	114,000	122,000	128,000	134,000	
<b>Capital Project Expenditures</b>	<b>\$7,017,500</b>	<b>\$374,500</b>	<b>\$0</b>	<b>\$614,000</b>	<b>\$622,000</b>	<b>\$4,953,000</b>	<b>\$564,000</b>	
<b>Revenue Sources</b>	<b>6-Year Total</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	
Contributions from Beginning Fund Balance								
Streets (Fund 101)	\$1,000,000	\$0	\$0	\$250,000	\$250,000	\$250,000	\$250,000	
Utilities (Fund 105)	200,000	0	0	0	0	100,000	100,000	
Transportation Capital Improvements (Fund 105)	400,000	0	0	0	0	200,000	200,000	
Transportation Impact Fees	213,284	33,725	34,500	35,190	35,894	36,612	37,344	
REET 1 (80% of amount)	522,500	65,000	67,500	67,500	67,500	67,500	67,500	
REET 2 (20% of amount)	322,500	40,000	41,500	41,500	41,500	41,500	41,500	
Motor Vehicle Fuel Tax Non-operation	150,000	25,000	25,000	25,000	25,000	25,000	25,000	
General Fund	0	0	0	0	0	0	0	
Grants	3,083,750	314,500	0	0	0	0	0	
Other City Funds	500,000	0	0	0	0	500,000	0	
Developer Contributions	1,000,000	0	0	0	0	1,000,000	0	
<b>Total Available Revenue</b>	<b>\$7,892,214</b>	<b>\$603,225</b>	<b>\$234,500</b>	<b>\$465,190</b>	<b>\$465,894</b>	<b>\$4,953,862</b>	<b>\$787,344</b>	
<b>Total Revenues less Total Capital Expenditures</b>	<b>\$874,714</b>	<b>\$228,725</b>	<b>\$234,500</b>	<b>\$128,810</b>	<b>\$133,106</b>	<b>\$472,862</b>	<b>\$103,344</b>	



### Capital Improvements Plan - Beyond the 6 yr plan

Projects - Street	Total Project Costs	Projects - Wastewater	Total Project Costs
SR-20 Improvements - Beekma Dr to Swanton Ave	\$29,900,000	Goldie Road Sewer Expansion Phase 2	\$2,350,000
Whitney Avenue Reconstruction	\$300,000	Technical Drive Sewer	262,000
SW Heller St Improvements	7,830,000	<b>Total</b>	<b>\$2,612,000</b>
SW Eagle Vista Ave Extension West of SR-20	2,800,000		
NE 7th Avenue Reconstruction	4,140,000		
Midway Blvd/NE 7th Avenue Intersection	825,000		
Lower Pioneer Way Reconstruction	6,000,000		
<b>Total</b>	<b>\$59,595,000</b>		

  

Projects - Parks and Recreation	Total Project Costs	Projects - Water	Total Project Costs
RV Park Redevelopment	\$1,240,000	Cross City Transmission Main (T-18)	\$1,809,000
Trail Extension at Freund Marsh	192,000	Friendship Water Main Extension (F-5)	7,659,000
Neighborhood Park - Spring Heights and Other	450,000	East 384 Zone Development (PZ-3)	60,000
Windjammer Park Redevelopment	9,850,000	North booster Pump Station (BS-3)	2,398,000
Freund Marsh	1,700,000	North and Turck Main - Phases 1 and 2 (T-2)	1,707,000
Neighborhood Park Improvements	150,000	Heller Reservoir - Extension (DS-8)	696,000
Open Space/Park Near Crosby & Oak Harbor	4,000,000	Gilmore Street Fire Flow Improvements (DS-2) - const	869,000
Trail Development/Link Opportunities - Park Plan	350,000	SW 10th Court Pipe Replacement (DS-3) - design	45,000
<b>Total</b>	<b>\$17,952,000</b>	SW 11th Court Pipe Replacement (DS-3) - design	45,000
		Steel/AC line replacement (DS-9) - design	174,000
		Campbell Lake Main Replacement (F-6) - design	437,000
		SW 10th Court Pipe Replacement (DS-3) - construction	180,000
		SW 11th Court Pipe Replacement (DS-4) - construction	180,000
		Steel/AC line replacement (DS-9) - construction	1,014,000
		Campbell Lake Main Replacement (F-6) - construction	1,882,000
		Erin Park Main Road Extension (DS-5)	491,000
		Erin Park Road Tie-in (DS-6)	60,000
		Industrial Avenue Tie-in (DS-7)	60,000
		322 Zone Development (PZ-5)	280,000
		<b>Total</b>	<b>\$20,497,499</b>

### Capital Improvements Plan - Beyond the 6 yr plan

Projects - Stormwater	Total Project Costs
Freund Marsh Stormwater Improvements	\$238,000
<b>Total</b>	<b>\$238,000</b>

  

Projects - General	Total Project Costs
Oak Harbor Municipal Pier Project	\$2,000,000
New Senior Center	\$5,000,000
Special Events Center	\$10,000,000
<b>Total</b>	<b>\$27,230,000</b>

  

Projects - Marina	Total Project Costs
Marina Redevelopment	\$16,285,745
<b>Total</b>	<b>\$16,285,745</b>

- ### Criteria – OHMC 18.15.080
- ❑ will not adversely affect the public health, safety and welfare
  - ❑ is consistent with the overall goals and intent of the comprehensive plan
  - ❑ is in compliance with the Growth Management Act and the Countywide Planning Policies
  - ❑ addresses the needs or changing circumstances of the community as a whole
  - ❑ Environmental impact have been addressed through the SEPA review and /or measures have been included that reduce possible impacts
  - ❑ is consistent with the land uses and growth projections
  - ❑ compatible with neighboring land uses and surrounding neighborhoods
  - ❑ accommodates new policy direction from the city council

- ### Recommendations
- ❑ The Planning Commission is recommended to hold a public hearing on the CIP 2015-202 and take public testimony.
  - ❑ The Planning Commission is requested to forward a recommendation to the City Council on the adoption of the 2014 Comprehensive Plan Amendments that include updates to the Capital Improvements Plan (CIP), amendments to the future land use map to correct the UGA boundaries and change the designation of 1000 SE City Beach Street from High Density Residential to Public Facilities, and amending Goal 5 of the Urban Design Element to add scenic corridors identified through a scenic view study.



# COUNTYWIDE PLANNING POLICIES

Planning Commission  
10/28/2014



## CWPP

- GMA ~ RCW 36.70A.210
  - Requires CWPP adoption
  - Establishes framework
  - County/city plans consistent
  - County leads process



## CWPP

- CWPP Must Include:
  - Contiguous & orderly development; provision of urban services
  - Siting essential public facilities
  - Transportation facilities and strategies
  - Affordable housing
  - Joint county/city planning within UGA
  - Economic development
  - Fiscal impact analysis



## CWPP

- Island County, Coupeville, Langley & Oak Harbor
- Adopted first CWPP 1998
- Presently working together
- Current draft
  - Clear definitions
  - More detail
  - Rural/urban differences acknowledged
  - Includes 'how-to' steps



## CWPP

### Topics

- Applicability
- Definitions
- Countywide Planning Goals
- Countywide Planning Policies
  - General Provisions
  - Joint Planning Areas
  - Urban Growth Areas
  - Urban Development
- Rural Development
- Public Facilities & Services
- Essential Public Facilities
- Transportation
- Housing
- Land Use & Public Health
- Economic Development & Employment



## CWPP

### Topics

- Administration & Implementation
  - Amendment Procedures
  - Population Projection & Land Capacity Analysis
  - Monitoring & Reporting
- Appendix A
  - Buildable Lands Procedures



**CWPP**

- City Council briefed 10/22/14
- Next Steps
  - Continue work with County & others
  - Joint PC/CC workshop ~ Nov or Dec
  - Public hearings ~ PC and CC

DRAFT  
COUNTY-WIDE  
PLANNING POLICIES

Public Meeting

# Memo

**TO:** Planning Commission  
**FROM:** Steve Powers, Development Services Director  
**CC:** File  
**DATE:** 11/21/2014  
**RE:** Draft Countywide Planning Policies

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During this business meeting the Planning Commission and staff will continue discussing the draft Countywide Planning Policies (CWPP). It is likely that this conversation will systematically address each section of the CWPP. The goal of this conversation is for the Commission to start to provide feedback on the CWPP so that staff may share those comments with Island County. Staff will of course be prepared to answer the Commission's questions. The Planning Commission is not requested to make a recommendation at this time.

Please contact Kathy Gifford (279-4512) if you need another copy of the draft policies.

2015  
COMPREHENSIVE PLAN  
AMENDMENT

Public Meeting

**City of Oak Harbor  
Planning Commission Report**

Date: November 25, 2014  
Subject: Comprehensive Plan  
Amendments – Discussion of  
items for 2015 Docket

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

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**PURPOSE**

The purpose of this memo is to provide a framework for discussing the Preliminary<sup>1</sup> Comprehensive Plan Amendment docket for 2015.

**BACKGROUND**

RCW 36.70a.130(2)(a) specifically states that revisions to the comprehensive plans should be considered no more frequently than once every year (some exceptions apply). Therefore, Oak Harbor has adopted a review process that allows Comprehensive Plan amendments to be considered annually. The process is codified under OHMC 18.15. As a refresher for the Planning Commission, the process outlined in Oak Harbor Municipal Code Chapter 18.12 is summarized below.

Process

A preliminary docket is compiled each year with input from the public and the Planning Commission. This is done before December 1<sup>st</sup> every year. The intent of compiling the preliminary docket prior to December 1<sup>st</sup> is to provide adequate time for public notice and opportunity for public input on the preliminary docket. The preliminary docket is advertised in the local newspaper paper and the City’s website. The Planning Commission reviews the preliminary docket at its regular meeting in December and January and forwards it with a recommendation to the City Council before January 31<sup>st</sup>. The City Council then reviews it in February/March and approves a final docket for the year before March 31<sup>st</sup>.

Docket items

The Oak Harbor Municipal Code provides some parameters in considering amendments for a docket. Three types of amendments can be placed on a docket; Sponsored, Mandated, and Discretionary. These amendments are defined in OHMC 18.50.050 (3) and are provided below.

Sponsored Amendments

These are amendments that are proposed through an application process that is open to the general public. Sponsored amendments can either be *private* or *public*. An example of a *private* amendment is a request to change a land use designation for a property. A land use change is considered as an amendment to the Future Land Use Map in the Comprehensive Plan. Land use changes are the most commonly received applications. Currently, the City has not received any applications; however, the deadline for submitting an application is December 1,

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

2014. Staff has received a few calls from interested property owners and there will likely be some sponsored amendments this year.

*Public* sponsored amendments are requests for changes to policies with the Comprehensive Plan. Since changes to comprehensive plan policies have potential for a larger community-wide impact, the procedures to consider these changes are different than the private sponsored amendments. The procedures are outlined in OHMC 18.15.060(2). Currently the city has not received any requests nor have any applications been filed for *public* sponsored amendments.

#### Mandated Amendments

Mandated amendments are those amendments that are mandated by the State through the Growth Management Act (GMA), Shoreline Management Act (SMA) or other laws. For example, the 2016 Comprehensive Plan Update is a mandated amendment required by the GMA. As you are aware, a major portion of 2015 will be dedicated to work on the 2016 Update.

Also considered as a mandated amendment, is the Facility Plan for the City's wastewater treatment plant. This Facility Plan is considered as an amendment to the Comprehensive sewer system plan and will need to be incorporated by an amendment into the Comprehensive Plan.

It is likely that there will be updates to the Capital Improvements Plan in 2015. This is one of the exceptions that can be considered outside of the annual update as long as it is done concurrent with the budget.

Mandated amendments are automatically given a Priority A in accordance to OHMC 18.15.050 (4).

#### Discretionary Amendments

The code also provides an opportunity for discretionary amendments. As described in OHMC 18.15.050(3)(c), these amendments are added to the annual docket to proactively add, amend, revise, delete or further goals and policies in the Comprehensive Plan. Discretionary items can be added to the docket by boards, commissions, city council and by the director of development services. This is the category under which the Planning Commission can add items for consideration. An example of a discretionary amendment is the study on scenic views that was completed recently.

A copy of Oak Harbor's code related to the amendment process has been included for your reference. The mandated 2016 Update to the Comprehensive Plan will provide an opportunity to discuss several land use, housing and transportation issues as we go through the amendment process in 2015. If the Planning Commission has additional specific issues at this time for discussion, we can consider them as part of formulating the 2015 Preliminary Docket. Similar to past years, the Planning Commission can add items to the preliminary docket and review it at its January 27, 2015 meeting before making a final recommendation to the City Council.

**Attachments:**

Attachment 1 -

OHMC Chapter 18.15 Comprehensive Plan Amendment Process

## Chapter 18.15 COMPREHENSIVE PLAN AMENDMENT PROCESS

### Sections:

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

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

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

### **18.15.020 Applicability.**

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

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

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

### **18.15.030 Responsibility.**

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(1) The director of development services shall have the responsibility to:

- (a) Administer this chapter.
- (b) Establish application and administrative procedures that may also include fee collection, refunds, etc.
- (c) Review the applications and make a determination of completeness for inclusion in the preliminary docket for planning commission review.
- (d) Place amendments on the preliminary docket for planning commission and city council consideration.
- (e) Make a recommendation to the planning commission and the city council on the annual docket and work program.

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

- (a) Review proposed amendments to the comprehensive plan that are included in the annual preliminary docket.
- (b) Hold a public hearing, deliberate, and make recommendations to the city council on the said annual preliminary docket.
- (c) Place items, as determined by majority vote, on the preliminary docket for city council consideration.
- (d) Review and study proposed amendments to the comprehensive plan that are included in the city council-approved annual docket for each year and hold a public hearing, deliberate, and make recommendations to the city council on said proposals.

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

- (a) Review each proposal on the preliminary docket to amend the comprehensive plan and make a final decision that results in establishing the planning commission's annual docket work program for each year.
- (b) Place items, as determined by majority vote, on the annual docket.

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

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

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

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

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

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

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

(5) The director of development services shall review all complete applications submitted by the deadline set forth in subsection (2) of this section based upon the threshold criteria set forth in OHMC [18.15.070](#)(1) and place them on the preliminary docket along with the discretionary and mandated items in accordance with OHMC [18.15.050](#).

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

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

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

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

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

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

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

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

#### **18.15.050 Docket.**

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

(2) Format.

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

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

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

(3) Types of Amendments.

(a) Sponsored Amendments. These are amendments that are proposed through the

application process submitted prior to December 1st of each year for consideration in the annual docket. Sponsored amendments are limited to those amendments as set forth in OHMC [18.15.060](#).

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

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

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

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

(b) Priority B – Sponsored.

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

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

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

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

#### **18.15.060 Sponsored amendments.**

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

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

(a) Application Requirements.

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

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

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

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

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

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

(a) Application Requirements.

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

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

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

(iv) Proposed new or replacement language.

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

- (vi) Supporting studies or findings that justify the proposed amendments.
- (vii) A petition supporting the proposed amendment that includes the signatures and names and addresses of one of the following:
  - (A) No less than 250 residents or property owners of the city and its urban growth area; or
  - (B) Sixty percent of the property owners impacted by the proposed amendments.
- (viii) An application processing fee is waived for public amendments. (Ord. 1565 § 7, 2009).

**18.15.070 Preliminary docket review criteria.**

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

- (a) The application is complete and all relevant information in accordance with the requirements of OHMC [18.15.060](#)(1)(a) or (2)(a) has been provided.
- (b) The application was submitted by the deadline established in OHMC [18.15.040](#).
- (c) The correct application processing fee has been paid in full by the deadline established in OHMC [18.15.040](#).

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

- (a) The proposed amendments are consistent with the Growth Management Act and the countywide planning policies.
- (b) The proposal does not appear to contradict other elements, goals and policies within the comprehensive plan.
- (c) The proposal will implement or further existing goals and policies in the comprehensive plan.
- (d) The proposal would correct an inconsistency within or make a clarification to a

provision of the comprehensive plan.

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

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

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

#### **18.15.080 Annual amendment decision criteria.**

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

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

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

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

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

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

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

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

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

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

#### **18.15.090 Public participation – Notice provisions.**

(1) The public participation requirements of this chapter shall include notice procedures that

are reasonably calculated to provide notice to property owners and other affected and interested individuals, tribes, government agencies, businesses, school districts, and organizations of proposed amendments to comprehensive plans and development regulation. Examples of reasonable notice provisions include:

- (a) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located or that will be affected by the proposal;
- (b) Posting the property for site-specific proposals;
- (c) Notifying public or private groups with known interest in a certain proposal or in the type of proposal being considered;
- (d) Placing notices in appropriate regional, neighborhood, ethnic, or trade journals; and
- (e) Publishing notice in agency newsletters or sending notice to agency mailing lists, including general lists or lists for specific proposals or subject areas.

(2) Changes to Proposed Amendments.

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

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

- (i) An environmental impact statement has been prepared under Chapter 43.21C RCW for the pending resolution or ordinance and the proposed change is within the range of alternatives considered in the environmental impact statement;
- (ii) The proposed change is within the scope of the alternatives available for public comment;
- (iii) The proposed change only corrects typographical errors, corrects cross-references, makes address or name changes, or clarifies language of a proposed ordinance or resolution without changing its effect;
- (iv) The proposed change is to a resolution or ordinance making a capital budget

decision as provided in RCW 36.70A.120; or

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

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

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

(1) Broad Dissemination of Proposals and Alternatives.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Technical expertise; or

(b) Scientific expertise; or

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

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

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

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

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

#### **18.15.120 Appeals.**

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