



# PLANNING COMMISSION

## AGENDA

December 11, 2012

CITY OF OAK HARBOR  
PLANNING COMMISSION  
REGULAR MEETING  
MUNICIPAL SHOPS – 1400 NE 16<sup>TH</sup> AVE

AGENDA  
DECEMBER 11, 2012  
7:30 P.M.

ROLL CALL:        FAKKEMA \_\_\_\_\_ WASINGER \_\_\_\_\_  
                          JENSEN \_\_\_\_\_ OLIVER \_\_\_\_\_  
                          WALLIN \_\_\_\_\_ FIKSE \_\_\_\_\_  
                          JOHNSON-PFEIFFER \_\_\_\_\_

1.     **Approval of Minutes – November 27, 2012**
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.     **2012 COMPREHENSIVE PLAN AMENDMENTS – SCENIC VIEWS – Public Meeting**  
The Planning Commission will consider a map of scenic view corridors and will discuss draft criteria for determining which of the scenic views are in the public interest to preserve. This item will continue into the 2013 amendments cycle.
4.     **2013 COMPREHENSIVE PLAN AMENDMENT DOCKET – Public Meeting**  
The Planning Commission will discuss the docket for the upcoming 2013 Comprehensive Plan Amendment cycle. The Comprehensive Plan is a document that establishes the community vision for Oak Harbor. The discussion may lead to a future recommendation on 2013 amendments that will then be added to the preliminary docket for further consideration.

# MINUTES

November 27, 2012

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

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

**Absent:** Gerry Oliver.

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

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

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

**PUBLIC COMMENT:**

None present for comment.

**2012 COMPREHENSIVE PLAN AMENDMENTS** – Public Hearing

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Planning Commission Discussion**

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

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

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

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

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

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

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

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

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

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

DRAFT

2012 Comprehensive Plan

Amendments

Scenic Views

Public Meeting

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**CITY OF OAK HARBOR**

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**TO:** PLANNING COMMISSION  
**FROM:** CAC KAMAK, SENIOR PLANNER  
**SUBJECT:** 2012 COMPREHENSIVE PLAN AMENDMENTS – SCENIC VIEW CORRIDORS  
**DATE:** 12/7/2012  
**CC:** STEVE POWERS, DEVELOPMENT SERVICES DIRECTOR

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This memo continues the discussion on scenic view corridors that was approved as part of the 2012 Comprehensive Plan Docket. The intent of this docket item was to identify existing desirable scenic views within the community and determine appropriate methodologies to eventually protect them. This study and any resulting action will continue into the 2013 amendment cycle.

**Background:** At the Planning Commission’s October 23, 2012 meeting, staff presented the public outreach effort and the data collected on the Scenic Views study. Photos received from the public on scenic views were not all located within Oak Harbor. It was noted that the public input on this topic, though extensive, was not pointed and that additional research by staff was necessary to supplement the public input obtained.

At its November 27, 2012 meeting, the Planning Commission continued the discussion on the Scenic Views study and reviewed criteria to evaluate scenic views within Oak Harbor. Since not all scenic views have the same public interest and value, the Planning Commission also weighted the criteria to help narrow down the selection and focus on the views that preserves the community’s interests. The criteria and the ratings that will be used to initially evaluate the scenic views are provided below.

| <b>Proposed Criteria</b>  | <b>Rating Scale*</b> | <b>Score</b> |
|---------------------------|----------------------|--------------|
| View from public property | H                    |              |
| View from streets         |                      |              |
| SR 20                     | M                    |              |
| Arterial                  | M                    |              |
| Collector                 | L                    |              |

|   |    |  |
|---|----|--|
| Local                                   | L  |  |
| View from a pedestrian route            | H  |  |
| View of a specific landmark             | H  |  |
| The need to buy property                | D1 |  |
| The need for special zoning regulations | D  |  |
| Entry way views                         | H  |  |
| Waterfront connectivity                 | H  |  |
| <b>Total</b>                            |    |  |

\*Rating Scale: H= High, M=Medium, L=Low, D=Deduct

The rating scale can be given a numeric value to quantify the evaluation. If a value of 100 points is assigned to “H” to indicate a highly desirable criterion, the others can be scaled by halves. Therefore, “M” can be assigned 50 points and “L” can be assigned 25 points. The list also includes two undesirable criteria. These are noted by “D” and “D1” with “D1” being more undesirable than “D”. These can also be assigned a numerical value with “D1” as -100 points and “D” as -50 points.

Staff will present the initial evaluation of the scenic views identified through the public input process at the Dec 11, 2012 meeting using the criteria discussed above. A list of the scenic views currently being evaluated is provided below. A more detailed discussion of these evaluations will be done at the meeting.

Scenic views currently being reviewed have been provided in the attached table. A rating score column has been provided along each view. As each view is discussed at the meeting the Planning Commission can use the table to track the scores. The table is also provided with a column to indicate whether a view is qualified for the next round of evaluations.

## Scenic Views Evaluation

### First Round – December 11, 2012

|    | <b>Views</b>                                      | <b>Rating<br/>Score</b> | <b>Qualified<br/>(Y/N)</b> |
|----|---|-------------------------|----------------------------|
| 1  | Northbound SR 20 – Scenic Heights to Erie         |                         |                            |
| 2  | Northbound SR 20 – Swantown to Scenic Heights     |                         |                            |
| 3  | Scenic Heights Trailhead                          |                         |                            |
| 4  | SW Freund Street                                  |                         |                            |
| 5  | Waterloo Rd & Scenic Heights                      |                         |                            |
| 6  | Swantown – Kimball to SR 20                       |                         |                            |
| 7  | Swantown & Fireside Lane                          |                         |                            |
| 8  | Barrington Drive and Fleet Street int             |                         |                            |
| 9  | Fleet Street                                      |                         |                            |
| 10 | Barrington Drive and Fairhaven int                |                         |                            |
| 11 | Waterfront Trail – Windjammer Park                |                         |                            |
| 12 | Waterfront Trail – Flintstone Park                |                         |                            |
| 13 | Bayshore Drive – Dock to Midway                   |                         |                            |
| 14 | Pioneer Way – Midway to Regatta                   |                         |                            |
| 15 | Pioneer Way – Ireland to Midway                   |                         |                            |
| 16 | Pioneer Way – SR 20 to City Beach                 |                         |                            |
| 17 | Jensen Street                                     |                         |                            |
| 18 | Midway Blvd – SE 8 <sup>th</sup> to Midway        |                         |                            |
| 19 | Regatta Drive – SE 8 <sup>th</sup> to Pioneer Way |                         |                            |
| 20 | Skagit Valley College parking lot                 |                         |                            |
| 21 | Crosby Ave by Cathlamet Drive                     |                         |                            |
| 22 | Crosby Ave by Prow Street                         |                         |                            |
| 23 | Airline Way                                       |                         |                            |
| 24 | SW 6 <sup>th</sup> and Dyer                       |                         |                            |
| 25 | Southbound SR 20 and NE 16 <sup>th</sup> Ave      |                         |                            |
| 26 | Dock Street – Barrington to Bayshore              |                         |                            |
|    |   |                         |                            |
|    |   |                         |                            |
|    |   |                         |                            |
|    |   |                         |                            |

2013 Comprehensive Plan

Amendment

Docket

Public Meeting

**City of Oak Harbor  
Planning Commission Report**

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

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

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

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

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

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

2012 Comprehensive Plan Amendment Preliminary Docket

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

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

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

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

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

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