



PLANNING COMMISSION

AGENDA

August 24, 2010

CITY OF OAK HARBOR
PLANNING COMMISSION
REGULAR MEETING
CITY HALL – COUNCIL CHAMBERS

AGENDA
AUGUST 24, 2010
7:30 P.M.

ROLL CALL: WIGGINS_____ JENSEN_____ NEIL_____

 FAKKEMA_____ FEY_____ WASINGER_____

 DALE_____

- Page 3*
1. **Approval of Minutes – July 27, 2010**
 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.

- Page 9*
3. **ADULT ENTERTAINMENT INTERIM ORDINANCE – Public Hearing**
Planning Commission will continue a public hearing to consider additional information regarding the Interim Adult Entertainment Ordinance. The Public Hearing was opened on July 27th and will be continued to the September 28th Planning Commission meeting.

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4. **URBAN GROWTH AREA (UGA) CAPACITY ANALYSIS – Public Meeting
(NO ACTION REQUIRED)**
This is a continued discussion on the UGA capacity analysis. Staff will provide additional data on the analysis. The Planning Commission will not be taking any action at this time.

MINUTES

July 27, 2010

**PLANNING COMMISSION
REGULAR MEETING
CITY HALL – COUNCIL CHAMBERS
July 27, 2010**

ROLL CALL: **Present:** Mark Wiggins, Keith Fakkema, Nancy Fey and Greg Wasinger.
 Absent: Julie Dale, Kristi Jensen and Bruce Neil
 Staff Present: Development Services Director, Steve Powers; Senior
 Planner, Cac Kamak; and Project Engineer, Arnie Peterschmidt.

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

PUBLIC COMMENT

None.

Members of the Planning Commission were asked by staff and agreed to reverse the order of items on the agenda.

**MINUTES: MR. FAKKEMA MOVED, MR. WASINGER SECONDED, MOTION
 CARRIED TO APPROVE THE JUNE 22, 2010 MINUTES AS PRESENTED.**

SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM – Public Meeting

Mr. Peterschmidt reported that the City is required by State law to submit an approved six-year Transportation Improvement Program (TIP). The primary purpose of the TIP is to facilitate use of Federal transportation funds awarded to the City. Projects that have federal funding must appear in the six-year TIP at the local and state level so that the City can obligate and eventually use the federal funds.

The projects listed on the TIP are coordinated with those listed in the Transportation Element of the Comprehensive Plan. Three projects listed on the previous TIP and in the Transportation Element of the Comprehensive Plan are under construction and will be completed this summer. These projects are: The North Oak Harbor Street Improvement, the NE 7th Avenue Intersection Improvement and the Arterial Sidewalk Phase II projects. The NE 7th Avenue Intersection Improvement and Arterial Sidewalk Phase II projects were listed separately in the TIP but were included under the North Oak Harbor Street Improvements in the Transportation Element. No new projects have been added to the TIP.

Commission Discussion

Mr. Fakkema asked if the references to transit facilities meant bus stops. Mr. Peterschmidt confirmed that transit facilities meant bus stops.

The public hearing was opened for public comment. No comments were forthcoming and the public hearing was closed.

**ACTION: MR. FAKKEMA MOVED, MS. FEY SECONDED, MOTION CARRIED TO
 FORWARD A RECOMMENDATION TO THE CITY COUNCIL TO
 APPROVE THE 2011-2016 TRANSPORTATION IMPROVEMENT
 PROGRAM AS PRESENTED.**

ADULT ENTERTAINMENT INTERIM ORDINANCE – Public Hearing

Mr. Kamak reported that this public hearing is part of the process to finalize the interim ordinance adopted by the City Council on March 23rd. Mr. Kamak summarized the actions taken to date by the City Council as follows:

The City adopted ordinances that address public nudity and licensing of adult entertainment based on a recently expressed interest to open an adult entertainment establishment in the area. As part of adopting these regulations, the City also adopted an interim zoning control to restrict such uses to an overlay district. The ordinances are summarized as follows:

- Ordinance Banning Public Nudity: The City Council adopted an ordinance creating a new chapter 6.70 entitled “Nudity in Public Places” to Title 6 Public Peace, Safety and Morals of the Oak Harbor Municipal Code. The purpose of this ordinance is to ban public nudity with appropriate exceptions. Since this is not a land use related ordinance it will not be necessary for Planning Commission to review this language.
- Ordinance adopting Adult Entertainment Licensing and Regulations: The Ordinance created a new chapter 5.20 entitled “Adult Entertainment” in Title 5 Business Licenses and Regulations of the Oak Harbor Municipal Code. The regulations adopted with this ordinance address how the business should operate and deals directly with the details of the how the business is run to mitigate the secondary impacts that are caused by such uses. Since this deals with the business licensing and related requirements and is not a land use related ordinance it will not be necessary for Planning Commission to review this language.
- Interim Ordinance adopting an Adult Entertainment Overlay Zone: This Ordinance created an interim zoning control by adopting an overlay zone that determines where such uses may locate. The interim ordinance created a new chapter 19.52 entitled “Adult Entertainment Facilities Overlay Zone”. The interim ordinance entered findings of fact concerning the negative secondary impacts of adult entertainment facilities and created an overlay districts that includes I-Industrial and PIP, Planned Industrial Park zoned property along Goldie Road.

The interim Adult Entertainment Overlay Zone requires further discussion and hearing by the Planning Commission since it is a land use related ordinance.

Mr. Kamak provided information on legal cases that support the regulation of adult entertainment land uses and also provided some options to consider when locating these facilities in Oak Harbor.

Mr. Kamak noted that the Supreme Court has issued a number of decisions upholding adult business regulations aimed at reducing “secondary effects” such as increased criminal activity, sexual related crime, increased blight, increased vacancy rates etc. Mr. Kamak also commented that the courts require that there must be a nexus between a municipality’s adult entertainment ordinance and the secondary effects evidence upon which it’s based. The Supreme Court has also held that this evidence may be borrowed from other cities where the secondary effects exist. Since Oak Harbor does not currently have any adult entertainment facilities to determine the secondary impacts, it will have to rely on studies performed elsewhere as long as whatever evidence the City relies upon is reasonably believed to be relevant to the problem it addresses. Summaries of such studies were included in the Planning Commission’s agenda packet.

Mr. Kamak explained that zoning that has distinguished Adult Entertainment Facilities from other commercial uses has been upheld by the courts provided it is done within certain constitutional constraints. There are two primary methods of zoning Adult Entertainment Facilities. One is the “dispersion zoning” that regulates the uses by distance separations such as “within 1000 feet of any other such establishment or within 500 feet of a residential area”. The second is the “concentration zoning” where a particular use, in this case the Adult Entertainment Facility, is prohibited from locating anywhere except in a specific portion of the municipality. Both methods have been held to be constitutionally permissible as legitimate. Both methods of regulation cannot do the following:

- Zoning cannot completely eliminate Adult Entertainment Facilities from the municipality
- Zoning cannot exclusively permit Adult Entertainment Facilities in an area that is “commercially unavailable”
- Zoning cannot force preexisting Adult Entertainment Facilities to cease operation and relocate.

Mr. Kamak noted that the interim ordinance adopted by the City Council on May 4, 2010 established an overlay zone over three properties on Goldie Road that are zoned I, Industrial and PIP, Planned Industrial Park. If this were to be adopted as the final overlay zone it would be “concentrated zoning”. However, it should be noted that Oak Harbor’s interim overlay zone properties were identified using a separation distance from sensitive areas such as schools, parks and religious institutions.

Mr. Kamak summarized the concentrated approach and the dispersion as follows:

Concentrated Approach

1. Like uses are treated alike – the same uniform district standards apply to all uses equally. Any changes to other districts will not have an effect upon the adult entertainment facilities within the special overlay district.
2. Lower administrative costs – once the district is established and development standards set; there is not need for costly case-by-case review of adult business requests other than the regular site development or building permit review.
3. Control over the total growth of these uses and the development of specific new uses – the limits of the area for these uses are defined. The dispersal method may have no upper limit of these uses provided that all separation requirements are met.
4. Easier evaluation of total public services impact – heavier traffic, limited parking space, higher police costs and other effects of the adult entertainment facilities can be easier to identify if they are concentrated into one area.

The drawbacks of this approach are documented in the land use case study summaries provided in the Planning Commission agenda packet. Studies, such as the ones done in Austin, TX indicate that the crime rate is 66% higher in areas where there is a concentration of such uses.

Dispersion Approach

The dispersion approach (also referred to as the Detroit Model) regulates adult entertainment facilities by separating them from each other and other sensitive uses. Cities typically will require that adult entertainment facilities be separated from each other by a distance that can

vary from 300 feet to 2000 feet. The regulation will also call out separations from sensitive areas such as schools, churches and parks. Some cities have also required separations from other establishments that serve alcohol. This is a more popular model since studies show that the secondary effects of these uses such as crime rates etc. are less when they are dispersed.

Mr. Kamak explained the various options available to Oak Harbor as follows:

1. Maintain the current properties in the interim ordinance: This would retain the properties identified in the interim ordinance in the overlay zone and will not add additional properties. This will be similar to the concentrated approach discussed earlier. If the City chooses this option, the properties must be studied to assure reasonable developability of the property for infrastructure and site development.
2. Dispersion method: This option will consider dispersing the Adult Entertainment Facilities in various locations within the city. The dispersion method is traditionally done by regulating the uses with separation distances from sensitive areas and similar uses. Due to the layout of Oak Harbor, this option will be challenging in identifying locations without reducing the separation distances significantly from some sensitive areas such as residential areas. Maps were attached to the Planning Commission's agenda packet showing some queries on different separation distances for the various uses. Different buffers can be used for the various sensitive areas. A few examples of the combination of different distances have been provided for study.
3. Establish a corridor: This option will consider adding property to the ones that are currently in the interim ordinance. An example would be the Goldie Road corridor. This will provide more options for the Adult Entertainment Facilities and may lessen the burden for the City to prove the availability of land for such uses. This option is also a concentrated approach.

Commission Discussion

Mr. Wiggins commented that he believed there were no redeeming factors in allowing adult entertainment facilities into the community. Property values go down, crime goes up and the administrative costs will go up dramatically.

Mr. Powers stated that the Council had the same concerns during the public process in March and in May. The short answers from the City Attorney and the Prosecuting Attorney was that the decisions as to whether or not to allow these businesses into our community have been made for us at the State Supreme Court level and at the United States Supreme Court level. What still remains within the local choice is the opportunity to decide where those businesses can locate. Prior to Council action in March and May there were no regulations on the books therefore we did not have the level of protection from at least having the ordinances.

Mr. Fakkema asked what would happen if the City didn't allow the business to locate in Oak Harbor. Mr. Power indicated that a business owner's recourse would be through legal action.

Mr. Powers indicated that it is planning staff's responsibility to present the interim ordinance and ask for Planning Commission review, input and recommendation to the City Council. The Council will then have the responsibility of considering the recommendation as they decide what the final form of our adult entertainment facilities ordinances should look like.

Mr. Kamak added that we currently have the interim ordinance and before we had no ordinance. This is a proactive approach and doesn't mean that these businesses will flock to these areas. It is better to have well thought out regulations in place before hand.

Mr. Powers asked Planning Commission to provide input as to which of the options they would like staff to look at and provide more information on and to open the public hearing and then continue the public hearing until the August meeting.

Mr. Fey also agreed with Mr. Wiggin's sentiment but understood that the City has to face this issue and must go forward to find a place where adult entertainment facilities can locate, otherwise the City is hanging out there and will have a very hard time if and when someone does come to town specifically to establish this type of facility.

Mr. Wiggins noted that the Laser Tag business is in the vicinity of the properties where adult entertainment facilities can locate according to the interim ordinance and children use the Laser Tag Facility. Mr. Wiggins asked if other uses could be identified as sensitive and require a separation distance. Mr. Powers cautioned against having such a large number of sensitive areas requiring separation that there are no properties left for adult entertainment facilities inside the city limits.

Mr. Fakkema stated that he was leaning toward the Concentrated Approach. He asked if the city required to have a certain percentage set aside for these uses? Mr. Powers state that there are no rules of thumb such as a certain percentage of land use.

Mr. Fakkema asked if a plumbing contractor were to build a plumbing shop on that site zoned for adult uses, would that be allowed and could we possibly fill up the designated area with other uses? Mr. Powers indicated that the City's obligation is to provide regulations as to where adult entertainment facilities can locate but we don't have the obligation to preserve those locations. The market forces are still at work.

The public hearing was opened.

Mel Vance PO Box 2882. Mr. Vance commented that there were no serious applications pending and no hints of applications for adult entertainment facilities in the future so the Planning Commission should take time and to be very careful when considering the regulations. Mr. Vance cautioned against going to the most extreme prohibitive regulations, many of which have not withstood serious Constitutional challenge in the Supreme Court. Oak Harbor cannot afford a court challenge and it could potentially bankrupt the City. Mr. Vance agreed that buffers between sensitive areas was a good idea and should be preserved in what ever final ordinance is brought forth. Mr. Vance also noted that there is more to the adult entertainment industry than strip clubs and peep shows and the ordinance adopting Adult Entertainment Licensing and Regulations only applies to strip clubs and peep shows.

The public hearing was continued to the August 24, 2010 Planning Commission meeting.

BEING NO FURTHER BUSINESS BEFORE THE PLANNING COMMISSION, THE MEETING WAS ADJOURNED AT 8:30 P.M.

Adult Entertainment
Ordinance

Public Hearing

PLANNING COMMISSION

TO: CITY OF OAK HARBOR PLANNING COMMISSIONERS

FROM: CAC KAMAK, AICP, SENIOR PLANNER

SUBJECT: ADULT ENTERTAINMENT ORDINANCE – PUBLIC HEARING

DATE: 8/19/2010

CC: STEVE POWERS, AICP, DEVELOPMENT SERVICES DIRECTOR

The Planning Commission opened a public hearing on the Adult Entertainment Facilities Overlay Zone Ordinance on July 27, 2010. Staff presented several studies from various communities around the country related to the location of adult entertainment facilities within the community and the legal basis for regulating such activity that is protected by the constitution. Staff also presented the Planning Commission with the pros and cons of the two broad type of zoning (dispersed vs. concentrated) approaches to regulating adult entertainment. After taking testimony from the public, the Planning Commission continued the public hearing.

Staff is continuing to study and research additional information regarding regulating these uses in Oak Harbor. Since additional time is required to continue studying this matter, the effective period of the interim ordinance needs to be extended.

In accordance with RCW 36.70A.390, the effective period of an interim zoning ordinance can be extended if a work plan is adopted by the City Council. Staff has prepared a work plan (attached) for the City Council's consideration at its September 7, 2010 meeting.

Staff will present additional research material at the next Planning Commission meeting. Therefore the Planning Commission is requested to continue the public hearing for the Adult Entertainment Facilities Overlay Zone.

Adult Entertainment Facilities Overlay Zone

Work Plan

Introduction: This is a tentative work plan to conduct further research on locating adult entertainment facilities. The work plan is a requirement of RCW 36.70A.390 to extend the Interim Adult Entertainment Facilities Overlay Zone that the City Council adopted on March 23, 2010.

Background:

- On March 23, 2010 the City Council adopted an interim ordinance on an emergency basis regulating the location of adult entertainment facilities.
- In accordance with RCW 36.70A.390 the City Council conducted a public hearing within 60 days of the adoption of the interim ordinance on May 4, 2010.
- In accordance with RCW 36.70A.390 the adopted interim ordinance is effective for six months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period.
- The Planning Commission received an update on the interim ordinance at the June 22, 2010 meeting.
- The Planning Commission opened a public hearing on the Adult Entertainment Facilities Overlay Zone on July 27, 2010 and continued the hearing.

Scope of work: In finalizing the Adult Entertainment Facilities Overlay Zone, the City must justify meeting legal requirements for the regulation of such facilities. The scope of work related to some of these requirements is provided below.

- Providing studies conducted in other cities on the secondary effects of the adult entertainment business – this forms the evidence base to which the regulations will be formulated.
 - The adoption of the interim ordinance was preceded by several studies on adult entertainment uses being entered into record. In consideration of a final ordinance, several studies are also being provided to the Planning Commission to build the record. Summaries of studies from approximately 30 cities around the country related to secondary effects of adult entertainment facilities have been provided.
 - The studies provided to the commission will help identify any secondary effects that are not already addressed in the interim ordinance. If identified, additional regulations can be crafted to address them in the final ordinance. This will help to tailor the regulations to mitigate the secondary effects¹.

¹ The adverse secondary effects associated with adult entertainment speech provide the constitutionally permissible grounds for content-based time, place and manner regulations. The permissible scope of such regulations is provided by the “narrowly tailored” limitation.

- The option to maintain the location of the overlay zone to the properties identified in the interim ordinance will be explored. If the properties prove inadequate, the option to include other properties along Goldie Road will need to be explored.
- Formulating regulations that are designed to serve a substantial governmental interest and do not unreasonably limit alternative avenues of communication².
 - This will involve determining whether the preferred location for the overlay zone provides a reasonable opportunity for the adult entertainment facilities to open and operate.
 - Tasks will include determining the number of potential sites, current demand for such uses, commercial market in Oak Harbor, permitting process, acreage available for such uses and other factors.
 - Development potential of the selected area such as subdivision of the property, required infrastructure improvements and site plan development will need to studies to determine that the properties are developable and is available similar to any other commercial development.

Process: The adoption of an overlay zone is a development regulation and will therefore follow a Type V review process. This process requires a public hearing before the Planning Commission and City Council. The adoption of the overlay zone will also require a State Environmental Policy Act (SEPA) review. The SEPA review is book ended by public comments and appeals periods. The adoption of all development regulations also require a 60 day notification period to the Department of Commerce.

Tentative Schedule: The Work Plan for the Adult Entertainment Facilities Overlay Zone will provide a six month extension that will be keep the interim overlay zone effective till March 2010. A tentative schedule is provided below.

September 2010 – November 2010	<ul style="list-style-type: none"> •Review interim ordinance and parcel/community research with Planning Commission Public •Revise interim ordinance (if necessary) •Planning Commission conducts public hearings and forwards recommendations to City Council
November 2010 – December 2010	Provide 60 day notification to Department of Commerce
November 2010	SEPA review and Determination.
December 2010	SEPA Determination Public Comment Period
January 2011	Government Services Committee
January 2011 – February 2011	Public Hearing before the City Council

² In general, the reasonable opportunity for alternative channels or avenues of adult entertainment speech communication duty of municipalities relates to the availability of places in it where adult entertainment speech might be conducted under the regulation. If a regulation effectively eliminates all opportunity, a total ban, then the regulation is most likely unconstitutional.

Urban Growth Area (UGA)

Capacity Analysis

Public Meeting

PLANNING COMMISSION

TO: CITY OF OAK HARBOR PLANNING COMMISSIONERS
FROM: CAC KAMAK, AICP, SENIOR PLANNER
SUBJECT: 2010 COMPREHENSIVE PLAN AMENDMENTS - UGA CAPACITY ANALYSIS
DATE: 8/20/2010
CC: STEVE POWERS, AICP, DEVELOPMENT SERVICES DIRECTOR

This is a continued discussion of the UGA capacity analysis. Information related to population, building permits, densities, current land use distributions and methodologies to determine developable properties were presented to the Planning Commission in April and May of this year.

The discussion on August 24, 2010 will focus on the analysis of data using the Improvement to Land Ratio (ILR) and the Land to Total Value Ratio (LTR). Maps have been provided that indicates potentially developable properties based on a range of ILR and LTR ratios. A spreadsheet that provides the acreage available in each land use category for the various percentages of ILR and LTR is also attached for your reference. Staff will discuss an appropriate percentage to pick between the ILR and LTR to determine the potentially developable properties/acreage in the City and UGA.

Staff's presentation has been included with this memo. This is a continued discussion of the UGA capacity analysis. The Planning Commission is not expected to make any decisions or recommendations at this time.

UGA Capacity Analysis

Data Collection and findings

Summary

Information presented to the
Planning Commission

Population

- Population Data
 - Historical Population growth
 - 67% of Island County growth in unincorporated areas
 - 33% in incorporated areas (Oak Harbor – 29%)
 - Population Projections
 - Based on information provided by OFM

	2010 Population	2030 Population	Difference
ISLAND COUNTY			
Low	73,036	85,164	12,128
Medium	80,703	107,126	26,423
High	88,370	129,088	40,718
Medium - High	84,537	118,107	33,571
OAK HARBOR			
Low	21,180	24,698	3,517
Medium	23,404	31,067	7,663
High	25,672	37,436	11,808
Medium-High	24,516	34,251	9,735

Population Densities

Year	Area ¹	Area annexed	Population ²	Population increase	Population Density
1970	4165	3061	9,167		2.20
1980	4739	574	12,271	3,104	2.59
1990	4925	186	17,176	4,905	3.49
2000	5804	879	19,795	2,619	3.41
2009	6082	278	23,360 ³	3,565	3.84

1. Areas – Based on GIS data overlay on maps based on Island County Orthographic projections (aerials shot in 2007)
2. Population – US Census (population includes Navy housing population)
3. Population estimate provided by OFM

Residential Densities

(within annexation areas)

Year	Approximate number of units per acre
Pre 1940	3.8
1941-1950	3.7
1951-1960	3.3
1961-1970	4.5
1971-1980	3.6
1981-1990	Annexation included no residential areas
1991-2000	3.9
2001-2009	5.3

Densities were calculated based on random sampling of 10 acre areas that typically represented development patterns during that decade. Selected sample areas does not include open spaces, tracts or parks. Rights of way are included.

Development Densities

Planned Residential Developments	Year	Units	Zoning	Total Acreage	Density
Cherry Hills	2000	151	R-2	29.5	5.12
Spring Hollow	2000	32	R-3	4.03	7.94
Whidbey Links	2002	28	R-1	7.93	3.53
Woodbury Park	2004	37	R-3	6.06	6.11
Island Place	2005	105	R-2	19.45	5.40
Crosby Commons	2005	74	R-1	19.4	3.81
Whidbey Greens	2005	90	R-1	16.04	5.61
Harbor Place	2005	56	R-2	6.3	8.89
Rose Hill	2006	38	R-2	4.01	9.48
Fairway Point	2006	140	R-1	36	3.89
Highland Park	2006-7	25	R-1	4.75	5.26
Plats					
East Park	2000	38	R-1	9.13	4.16
Redwing	2003	111	R-2	28.86	3.85
Barrington Heights	2006	23	R-1	7.6	3.03
Frostad Pond	2006	45	R-1	8.74	5.15
West Meadows	2007	61	R-1	15.4	3.96
Fireside	1994-2005	226	R-1	69.1	3.27
Average					5.20

Building and Land Use

- Building Data vs. Population Data
 - No visible trend between them
- Land Use inventory

Land Use Category	City Limits				UNINCORPORATED UGA			
	# of Parcels	Acreage	% of Total Parcels	% of Total Acreage	# of Parcels	Acreage	% of Total Parcels	% of Total Acreage
Low Density Residential	4084	1116	70	40	815	427	79	38
Medium Density Residential	752	201	13	7	3	6	0	1
Medium-High Density Residential	89	84	2	3	0	0	0	0
High Density Residential	180	150	3	5	0	0	0	0
Residential Office	187	94	3	3	0	0	0	0
Neighborhood Commercial	12	7	0	0	0	0	0	0
Central Business District	144	41	2	1	0	0	0	0
Community Commercial	203	154	3	6	38	58	4	5
Auto Industrial Commercial	25	105	0	4	17	26	2	2
Highway Corridor Commercial	45	75	1	3	0	0	0	0
Planned Industrial Park	11	67	0	2	77	263	7	23
Planned Business Park	3	78	0	3	10	55	1	5
Industrial	10	20	0	1	34	148	3	13
Public Facilities	61	358	1	13	3	18	0	2
Residential Estate	0	0	0	0	31	70	3	6
Open Space	12	214	0	8	9	56	1	5
TOTALS	5818	2764	100	100	1037	1127	100	100

Methodology

- Determine 20 yr population to accommodate (projections)
- Determine area within the City and the UGA
- Determine undevelopable properties
 - ROW
 - Schools
 - Public Facilities
 - Parks and Open Spaces
 - Critical areas
 - Utilities, detention basins, buffers, tracts etc.
 - State and County owned properties
 - Not for profit organizations
 - Religious institutions
 - Well sites
 - Etc.
- Determine properties that have a potential for development and redevelopment*
- Determine the amount of land available in each land use category
- Determine development capacity for each land use based on Comprehensive Plan densities and historical trends or other assumptions
- Determine if it can accommodate the 20 year population projection

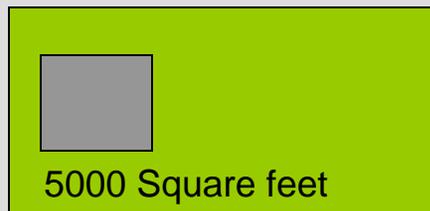
Some Methodologies

- ILR – Improvement value to Land Value Ratio
 - Based on assessed values
 - Uses a ratio between the land and the structure
 - Does not take into account any other feature of the property
- Density Ratio
 - Not based on assessed values
 - Uses a ratio between existing density and potential density
 - Requires creating a database of information not currently tracked
- LTR – Land value to Total Value
 - Based on assessed values
 - Compares the land value against the total assessed value
 - Focuses on one aspect of the value

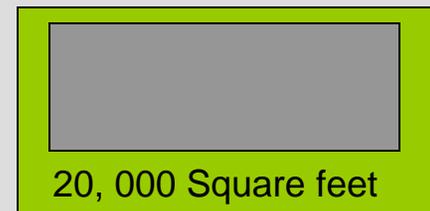
Density Ratio



- Ratio of the existing density to the potential density



Existing Density



Potential Density

$$\text{Density Ratio} = \frac{\text{Existing Density}}{\text{Potential Density}} = 0.25$$

Low ratios indicate higher development potentials

- Typically used for smaller study areas
- Appropriate in areas that have a wide range of densities
- Areas of inconsistent lot areas with the same zoning designations
- Impacted by change in zoning and development regulations (setbacks, buffers, parking etc.)

Improvement to Land Ratio

- Ratio between the land and the improvements
 - Assessed Land value = 300,000
 - Assessed Improvement Value = 100,000

$$\text{ILR} = \frac{\text{Improvement value}}{\text{Land value}} = 33\% \quad (\text{The structure is 33\% of land value})$$

- Lower ILR indicate higher probability of redevelopment

Land to Total Value Ratio

- Ratio between total assessed value and land value
 - Total Assessed Value is \$400,000
 - Land Value is \$300,000
 - Structure and special features is \$100,000

$$\text{LTR} = \frac{\text{Land Value}}{\text{Total Assessed Value}} = 75\%$$

Land value is 75% of the total value

Higher percentages indicate higher redevelopment potential

Data Source and Management

- Island County Assessor's data
- Data used for valuation
- PIN – identifiers of properties that tracks property owners
- Data provided in a spreadsheet or database for North Whidbey
- City matches County data with City maintained GIS map
 - Properties always don't match up – out of sync since they are maintained separately
 - Time gaps between lots created and PINs inputted in County data
 - A property may have multiple PINs or sometimes a single PIN can be assigned to multiple properties if still owned by the same person or entity.
- There is always some cleaning up of the data
- Data provided in a spreadsheet or database for North Whidbey
- City matches County data with City maintained GIS map
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- There is always some cleaning up of the data

Today's Discussion

- Review ILR and LTR maps
- Changes to the data
- Determine the Development Percentage

Land to Total Value Ratio

- Focuses on the land value and compares it to the total value of the property
- If the LTR is 70% then the land value is 70% of the total property value (if there is a structure on the property it is of low value or poor condition and can benefit from redevelopment)
- Higher LTRs indicate higher land value
- Assumption – if the land value is significantly high then the owner may think about redevelopment
- How high should it be to be considered as a potential redevelopment property?

Improvement to Land Value Ratio

- Compares the improvement value to the land value of the property
- Focuses on the improvements that are on the property
- Lower ILRs indicate value of improvements are low when compared to the land value
- Assumption – if the value of improvements on property is significantly low and the land value is high then the owner may think about redevelopment
- An ILR of 30% indicates that the value of the structure is 30% of the Land Value
- How low should the structure value be in order to be considered as a potential redevelopment property?

LTR vs. ILR

- Both methods use Island County Assessor's data
- The assessors data has separate value for "Land", "Structure", "Other features" and "Total"
- All properties have some value for "Land"
- Properties can have no value for "Structure" if there are no buildings on the property (These properties will show up as developable properties in our analysis)
- "Other features" may have value if there are other improvements or value such as by wells, easements etc.
- "Total" may have no value in it if the properties are filed as tax exempt (may still have values assigned to "Land", "Structure" and "Other features" – religious institutions, common areas in condominiums)

Maps of ILR

- Ratios were calculated using the “Structure” and “Land” assessed value data
- Ratios range from 0% to 100+%
- A value of 0% usually indicates that there are no structures on the property and 100+% indicates that the value of the structure exceeds the value of the land.
- Since lower structure values are indicative of possible development/redevelopment, it is a general practice to look at ILR of less than 50%
- Maps for ILR are created with a graduated scale
 - <50% map indicates all properties that have an ILR value of less than 50%
 - <40% map indicates all properties that have an ILR value of less than 40% (properties that have a value between 50% and 40% have been removed)
- <50% map may include properties that may be considered undevelopable and the <10% map may not indicate properties that may be considered developable.

Maps of LTR

- Ratios were calculated using the “Land” and “Total” assessed value data
- Ratios range from 0% to 100%
- A value of 0% usually indicates that there are no land values assigned (detentions basins, drainage tracts etc) and 100+% indicates that the value of the land equals the total assessed value of the property (vacant).
- Since higher land values are indicative of possible development/redevelopment, it is a general practice to look at LTR of greater than 50%
- Maps for LTR are created with a graduated scale
 - >50% map indicates all properties that have an LTR value of greater than 50%
 - >60% map indicates all properties that have an LTR value of greater than 60% (properties that have a value between 50% and 60% have been removed)
- >50% map may include properties that may be considered undevelopable and the >90% map may not indicate properties that may be considered developable.

Data Correction

- Data corrections were necessary to calculate the values for ILR and LTR
- They are primarily due to how the county assigns values. For example a condominium plat that has a common area will have a “Land” value but will not have a “Structure” value (since the structure value is assigned to the individual units). Based on the calculations, this property will indicate high development potential. Examples of these corrections were applied to the following:
 - Condominiums
 - Tracts
 - Buffers
 - Landscape or common areas
 - Detention basins
 - Schools
 - Parks
 - Religious institutions
 - Critical areas
 - Utilities (Power substations, community wells)
- The properties designated for Low Density Residential that have an area less than 14,000 square feet with an existing structure were also removed from the calculations (these properties, if redeveloped, would replace units and will not be adding units)

ILR and LTR

Potentially developable acres

		50%	40%	30%	20%	10%
ILR	City	633	612	578	544	466
	Unincorporated UGA	505	504	490	469	444
	Total	1138	1116	1068	1013	910
		50%	60%	70%	80%	90%
LTR	City	759	652	597	493	405
	Unincorporated UGA	552	487	460	415	383
	Total	1311	1139	1057	908	788

ILR and LTR

Potentially developable low density residential acres

		50%	40%	30%	20%	10%
ILR	City	144	142	140	131	115
	Unincorporated UGA	128	127	114	114	114
	Total	272	269	254	245	229
		50%	60%	70%	80%	90%
LTR	City	184	160	151	140	129
	Unincorporated UGA	148	132	130	115	110
	Total	332	292	281	255	239

ILR and LTR

Potentially developable residential acres

		50%	40%	30%	20%	10%
ILR	City	281	277	273	256	217
	Unincorporated UGA	132	131	117	117	117
	Total	413	408	390	373	334
	<i>Density at 5.2/acre (past 10 yrs)</i>	2148	2122	2028	1940	1737
	2000 average household 2.69	5778	5709	5455	5219	4673
		50%	60%	70%	80%	90%
LTR	City	333	287	273	218	170
	Unincorporated UGA	152	136	134	119	114
	Total	485	423	407	337	284
	<i>Density at 5.2/acre (past 10 yrs)</i>	2522	2200	2116	1752	1477
	2000 average household 2.69	6784	5918	5692	4713	3973

ILR and LTR

Drawing the development line

		50%	40%	30%	20%	10%
ILR	Ford Dealership Site	✓	✓	1/2	1/2	1/2
	SW corner of Pioneer and Midway	✓	✓	✓	✓	x
	Mobile Home Parks	✓	✓	✓	✓	✓
	Under Developed properties along the boardwalk (waterfront)	✓	✓	✓	1/3	1/3
	Gas Stations	✓	✓	x	x	x
		50%	60%	70%	80%	90%
LTR	Ford Dealership Site	✓	✓	✓	1/2	1/2
	SW corner of Pioneer and Midway	✓	✓	✓	✓	x
	Mobile Home Parks	✓	✓	1/2	1/3	1/3
	Under Developed properties along the boardwalk (waterfront)	✓	✓	✓	1/2	x
	Gas Stations	✓	✓	✓	x	x

Preliminary Findings

Drawing the development line

Development potential properties identified by ILR < 30% and LTR > 70%

Average residential acres for ILR 30 (390) and LTR 70 (407) = 398.5

Average density based on 10 yr development = 5.2 units per acre

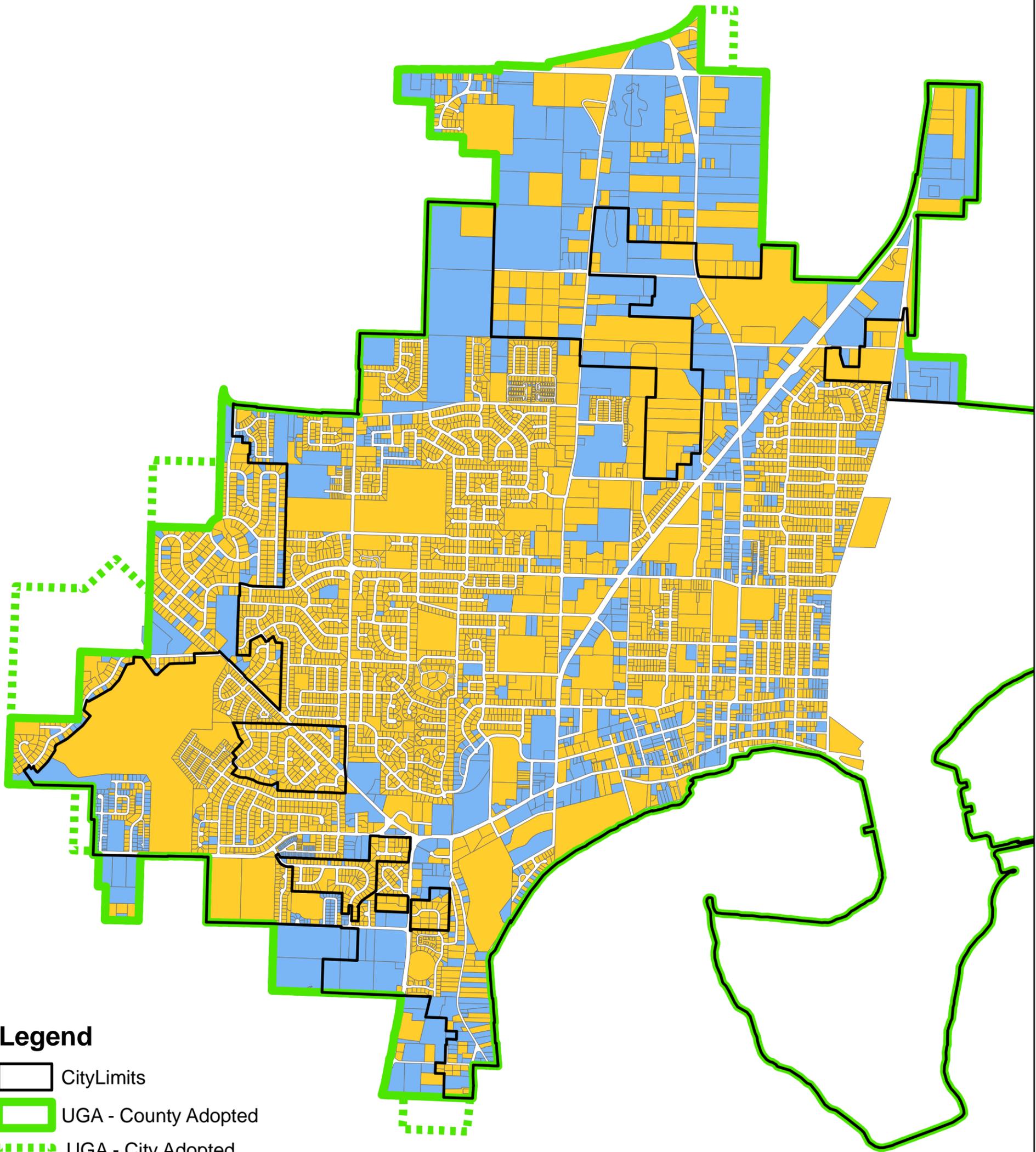
Average # of unit based on acreage = 2,072

Average household size (2000 Census) = 2.69

Average capacity for population in City and UGA = 5,574

Targeted (med-high) population based on projections = 9,735

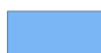
ALL PROPERTIES >50% LTR RATIO



Legend

-  City Limits
-  UGA - County Adopted
-  UGA - City Adopted
-  (Not included in study area)

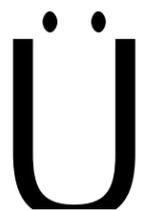
Developability

-  Developable
-  Undevelopable

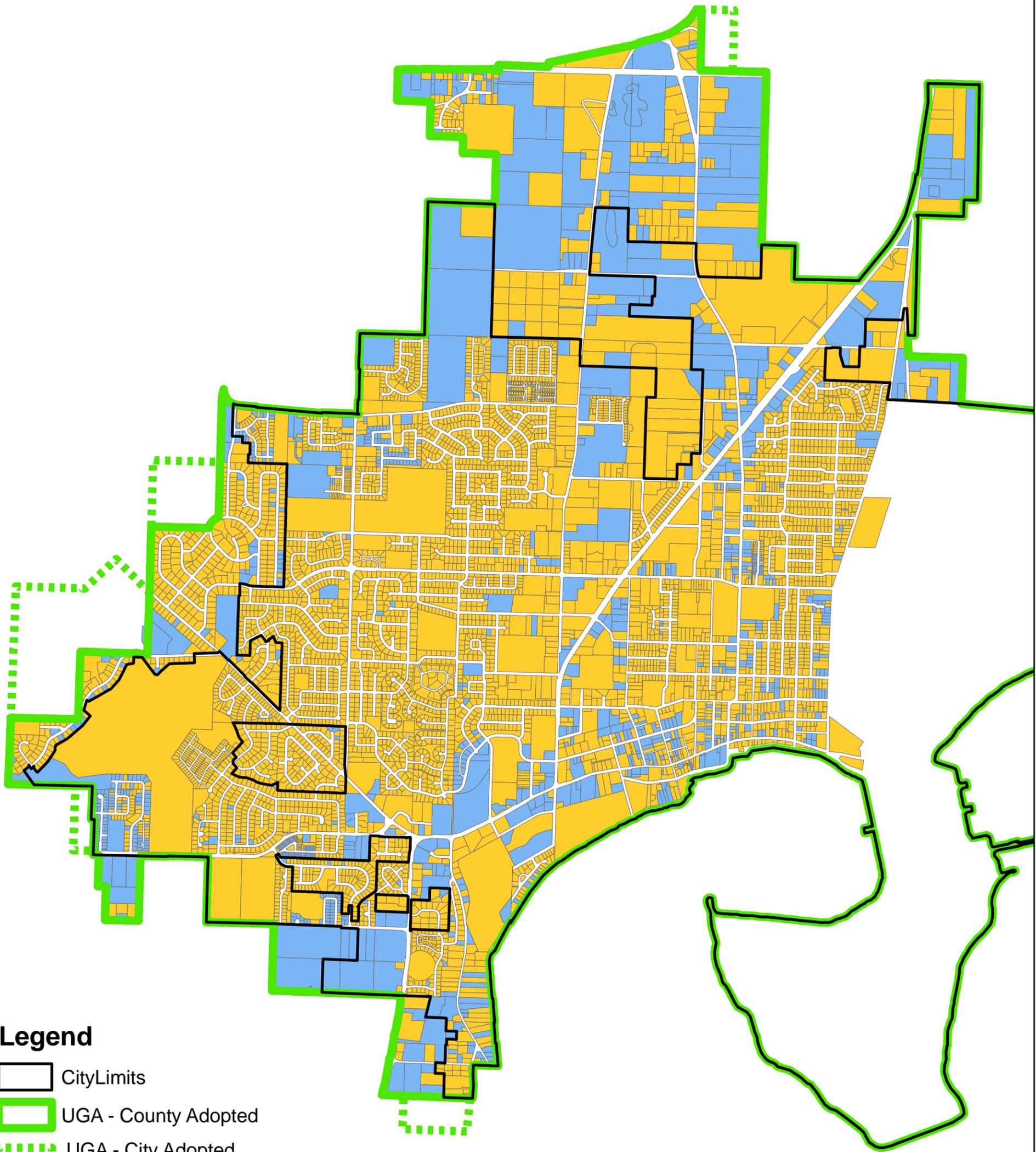
Disclaimer:

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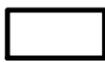
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ALL PROPERTIES >60% LTR RATIO



Legend

-  City Limits
-  UGA - County Adopted
-  UGA - City Adopted
(Not included in study area)

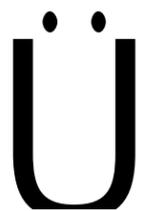
Developability

-  Developable
-  Undevelopable

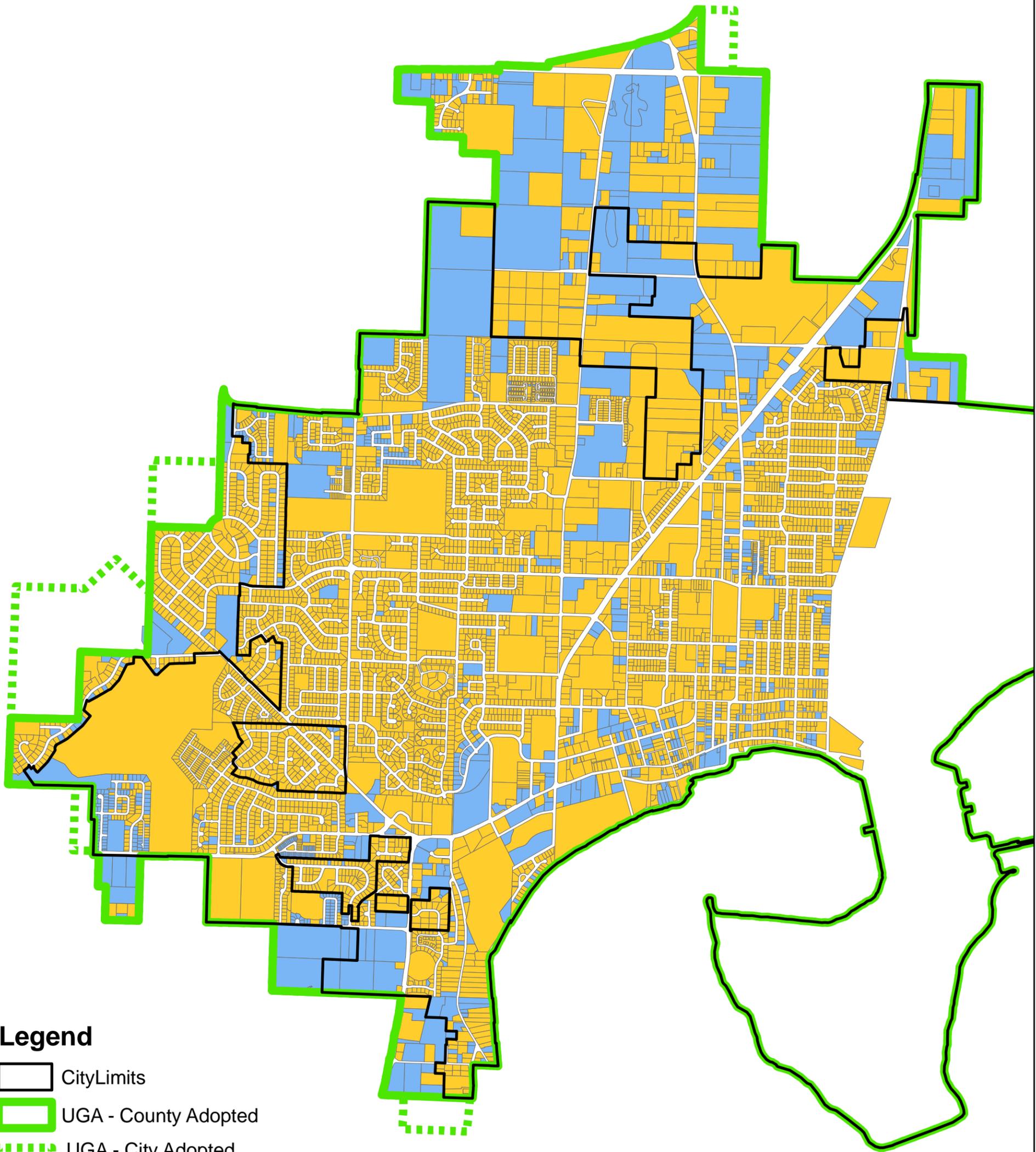
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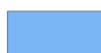
ALL PROPERTIES >70% LTR RATIO



Legend

-  City Limits
-  UGA - County Adopted
-  UGA - City Adopted
-  (Not included in study area)

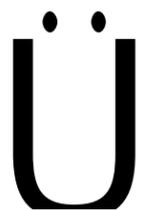
Developability

-  Developable
-  Undevelopable

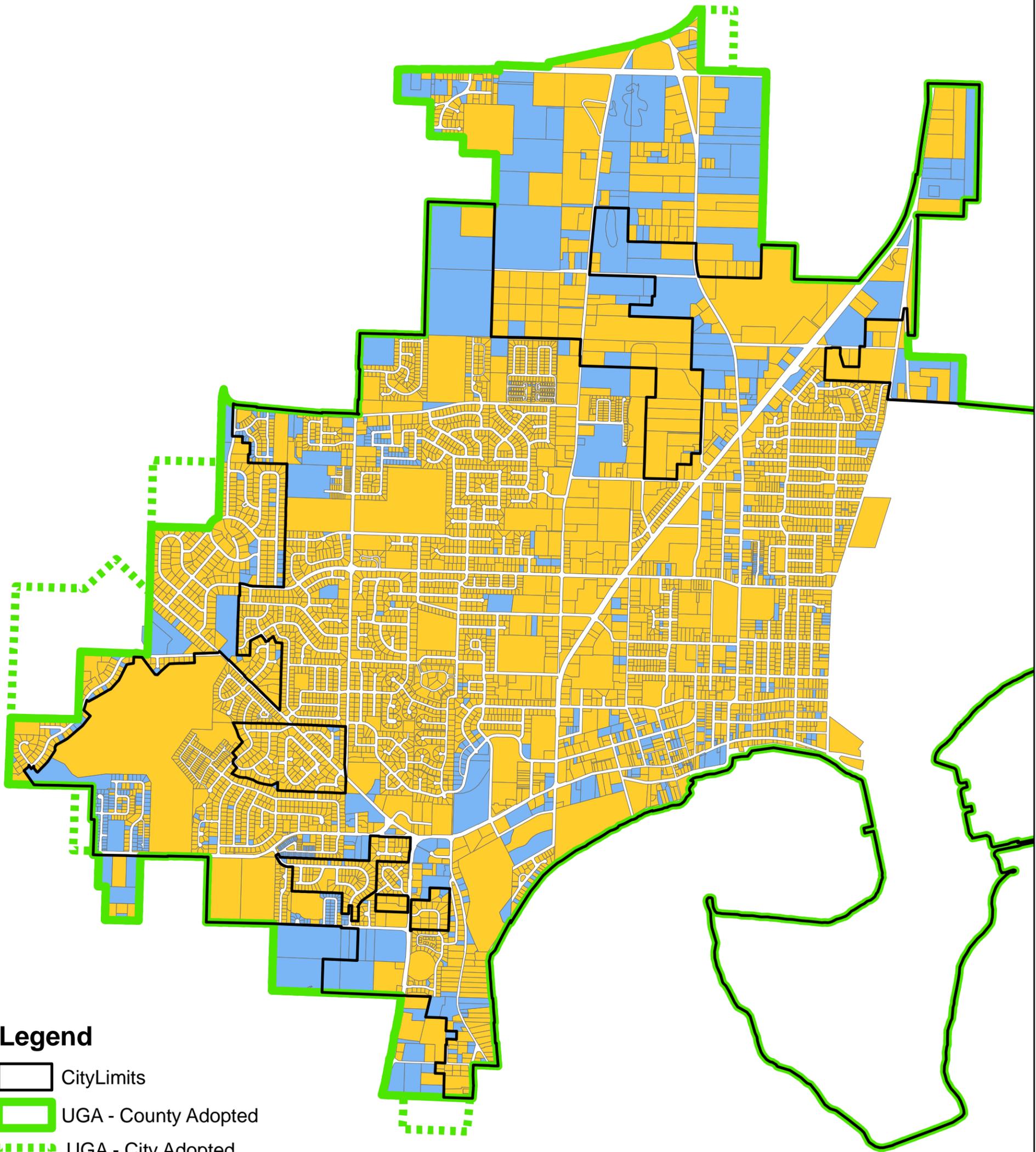
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ALL PROPERTIES >80% LTR RATIO



Legend

-  City Limits
-  UGA - County Adopted
-  UGA - City Adopted
-  (Not included in study area)

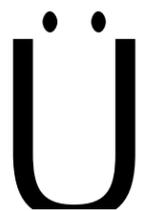
Developability

-  Developable
-  Undevelopable

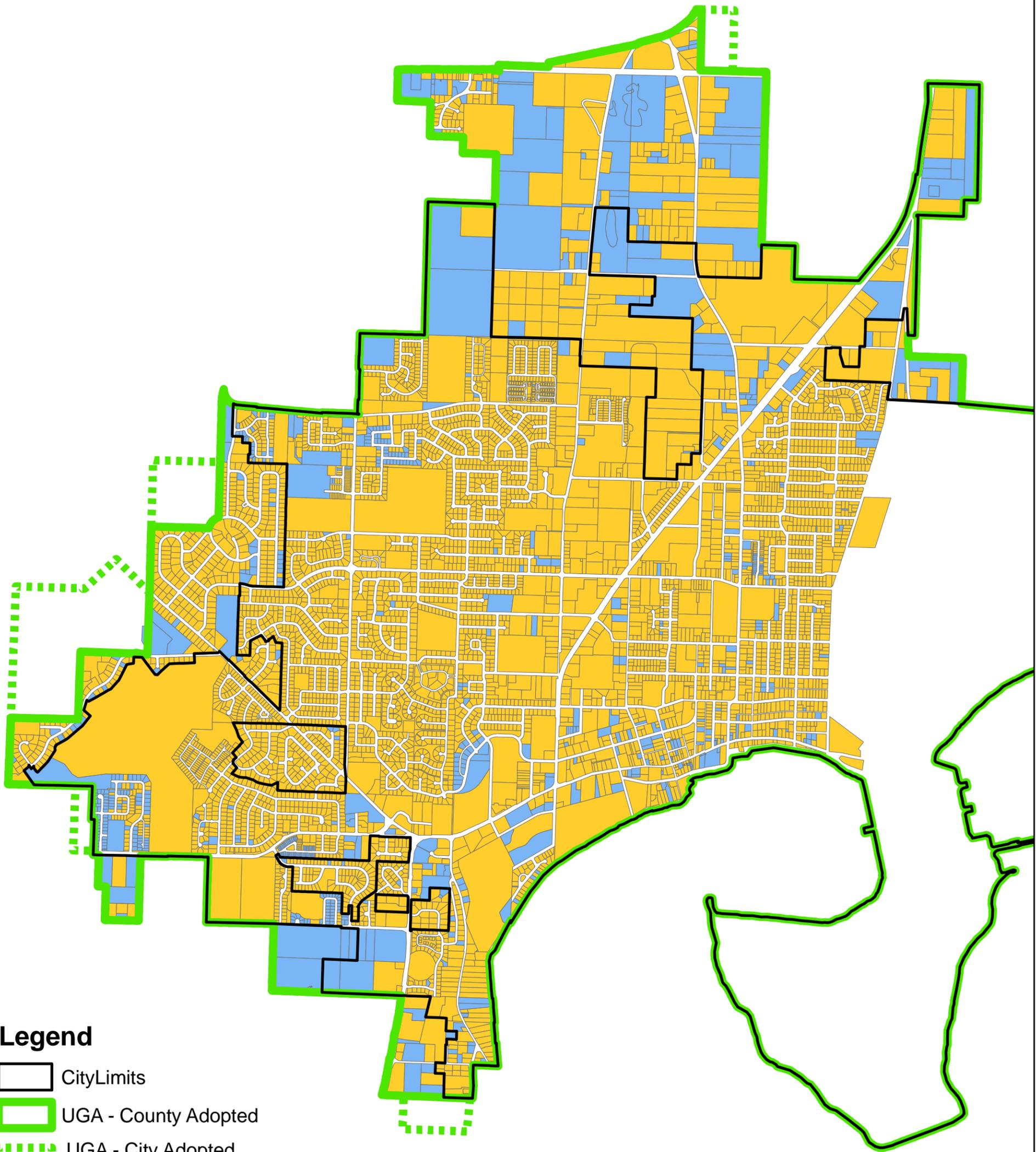
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ALL PROPERTIES >90% LTR RATIO



Legend

-  City Limits
-  UGA - County Adopted
-  UGA - City Adopted
-  (Not included in study area)

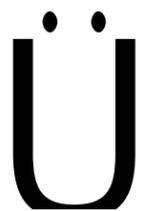
Developability

-  Developable
-  Undevelopable

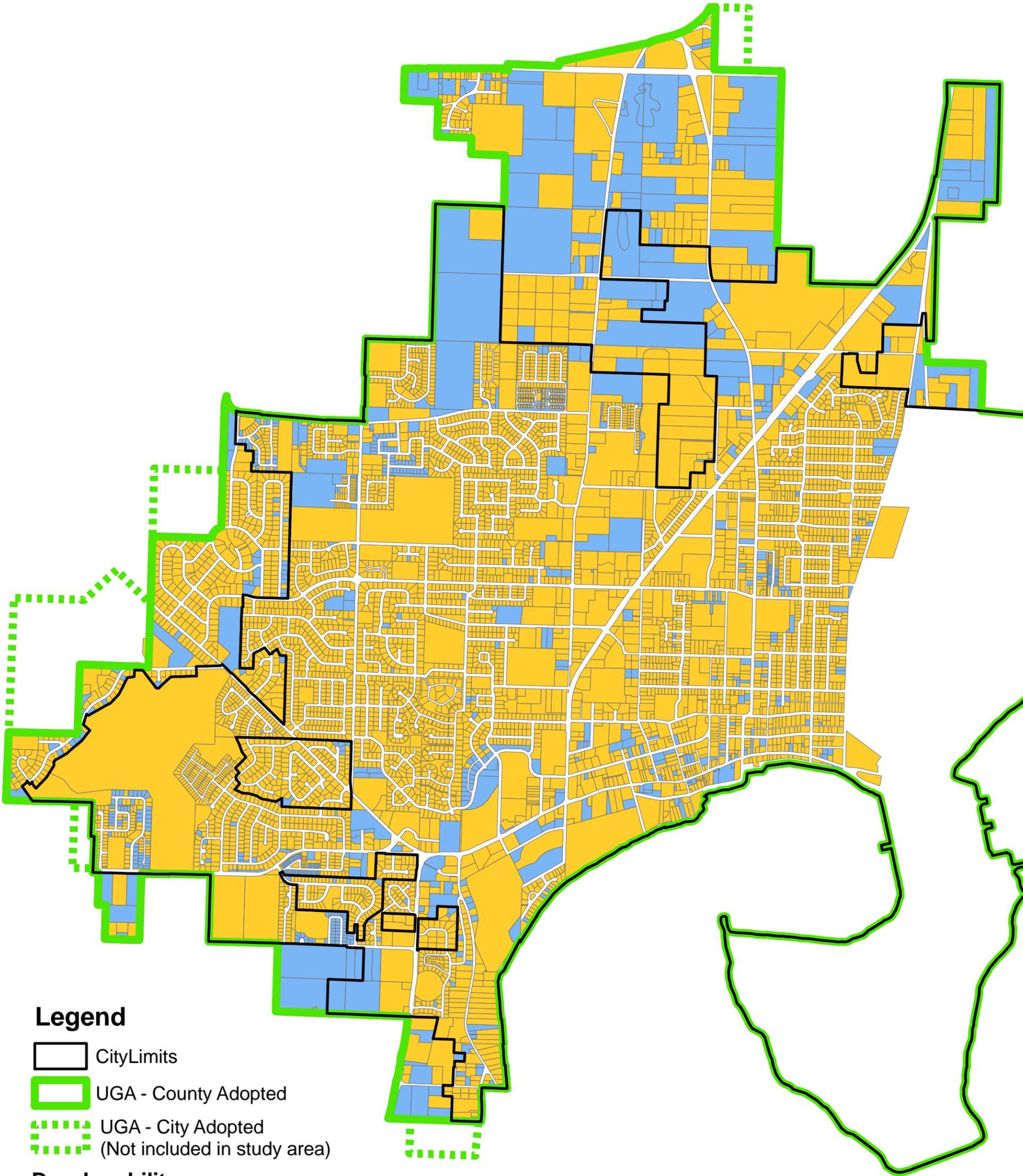
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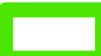
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ALL PROPERTIES <10% ILR RATIO



Legend

-  CityLimits
-  UGA - County Adopted
-  UGA - City Adopted
-  (Not included in study area)

Developability

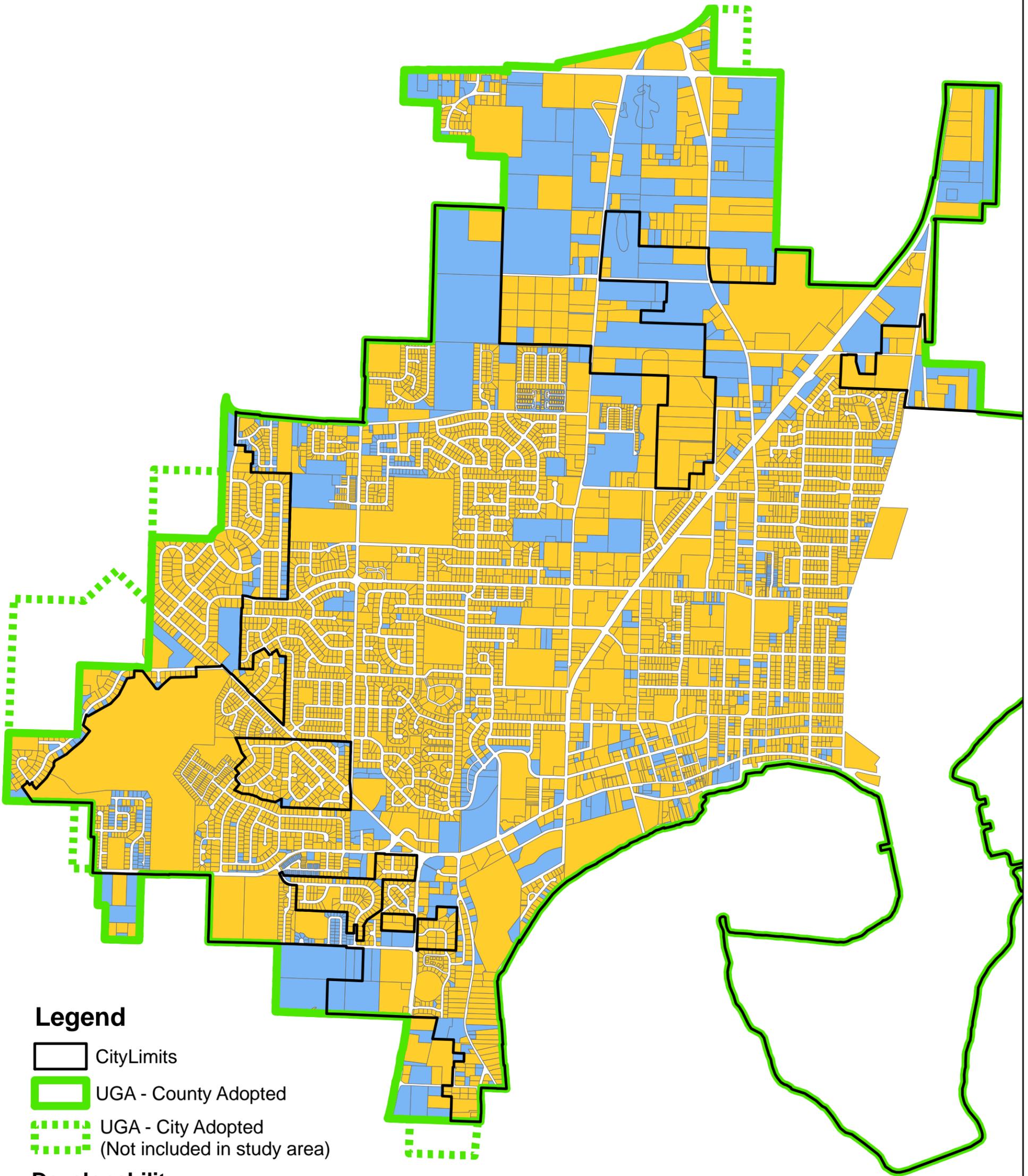
-  Developable
-  Undevelopable

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ALL PROPERTIES <20% ILR RATIO



Legend

-  CityLimits
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-  UGA - City Adopted
-  (Not included in study area)

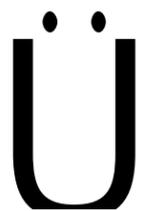
Developability

-  Developable
-  Undevelopable

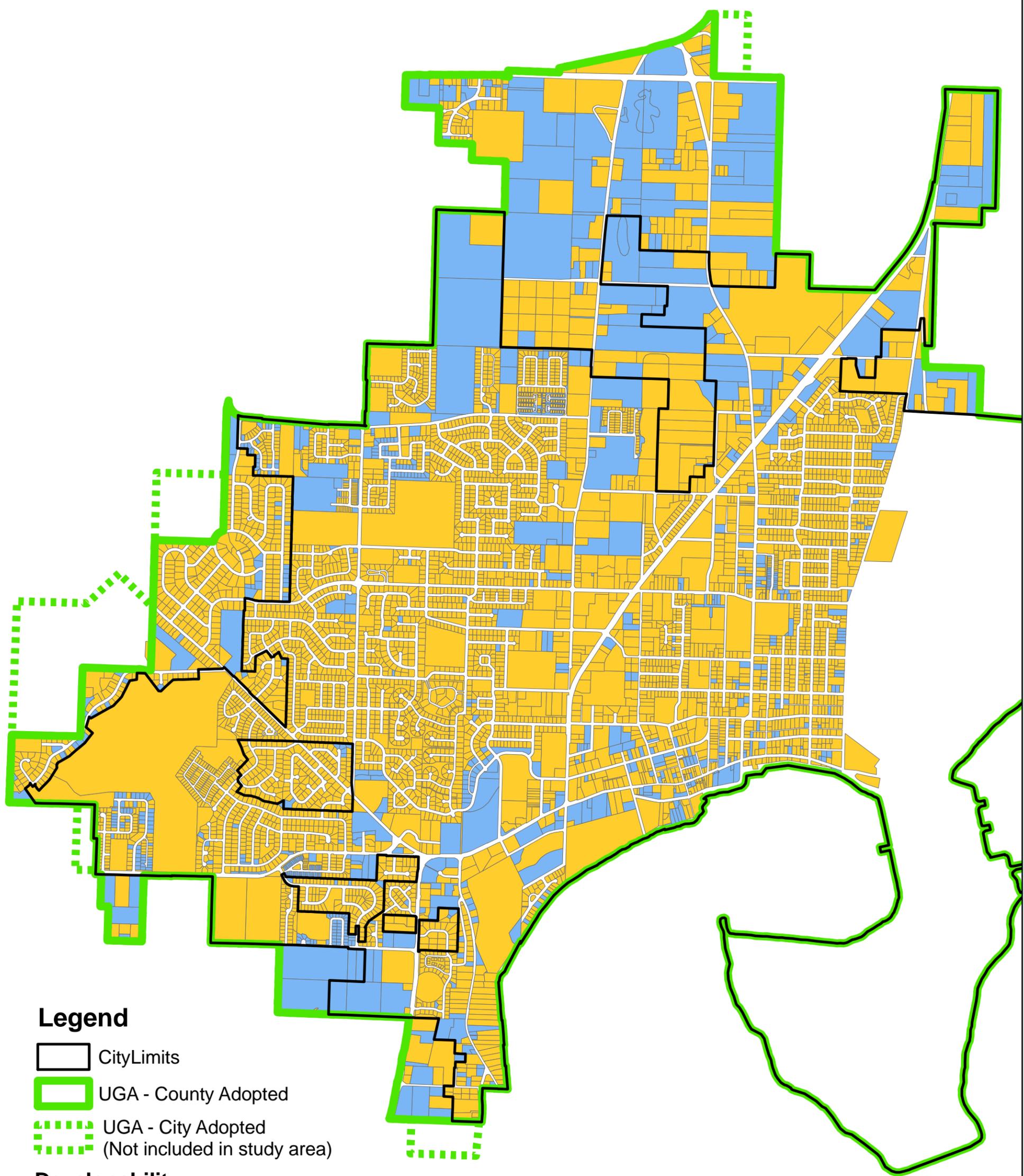
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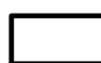
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ALL PROPERTIES <30% ILR RATIO



Legend

-  CityLimits
-  UGA - County Adopted
-  UGA - City Adopted
-  (Not included in study area)

Developability

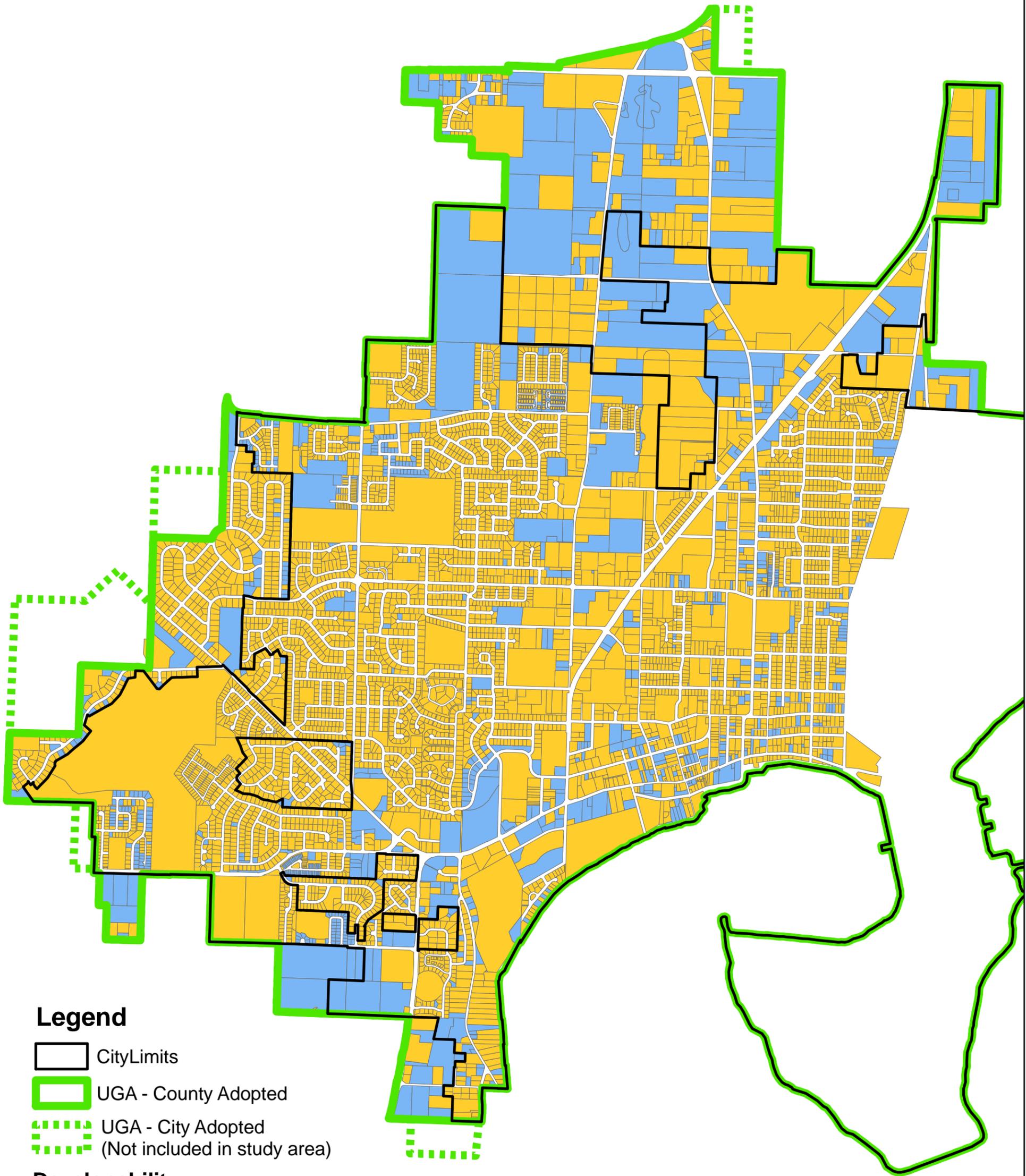
-  Developable
-  Undevelopable

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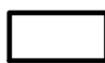
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ALL PROPERTIES <40% ILR RATIO



Legend

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-  UGA - City Adopted
-  (Not included in study area)

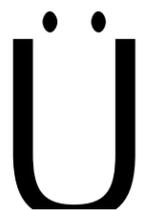
Developability

-  Developable
-  Undevelopable

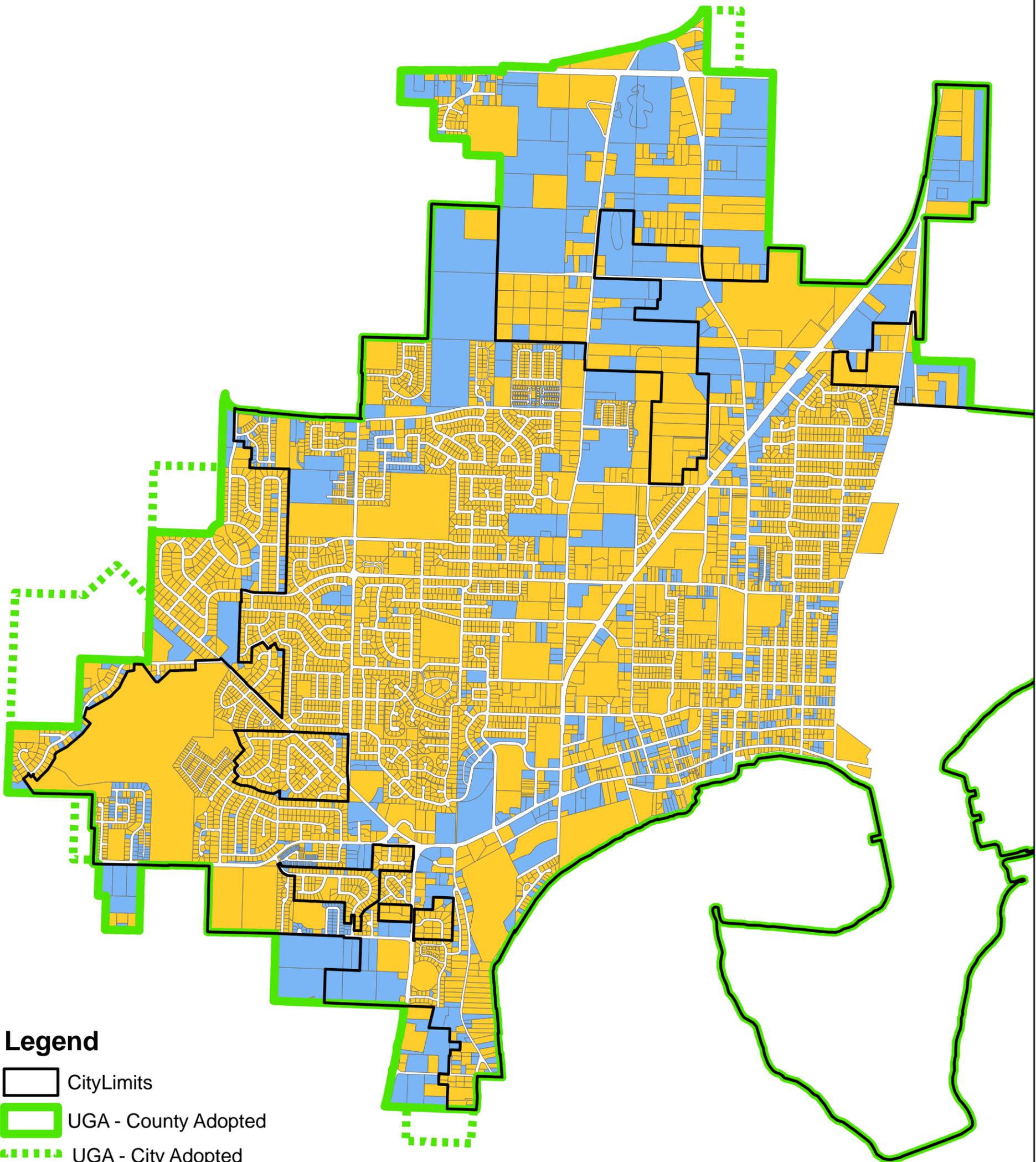
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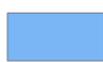
ALL PROPERTIES <50% ILR RATIO



Legend

-  CityLimits
-  UGA - County Adopted
-  UGA - City Adopted
-  (Not included in study area)

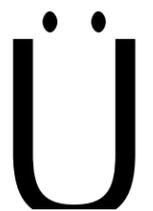
Developability

-  Developable
-  Undevelopable

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Land Use Distribution of Developable and Undevelopable properties for LTR and ILR (graduated scale)

	Total Land to Value Ratio > 50%				Total Land to value Ratio > 60%				Total Value to Land Ratio > 70%				Total Land to Vlaue Ratio > 80%				Total Land to Value Ratio > 90%			
	Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable	
	City	UGA	City	UGA																
Auto/Industrial Commercial	61.45	5.52	42.87	20.91	61.45	3.25	42.87	23.18	60.15	3.25	44.16	23.18	52.38	3.25	51.93	23.18	41.73	3.25	62.58	23.18
Central Business District	22.94		18.06		20.14		20.86		15.56		25.44		12.38		28.62		10.01		30.99	
Community Commercial	91.52	53.39	62.61	4.57	54.47	41.73	99.66	16.23	36.84	39.73	117.29	18.24	22.19	39.15	131.94	18.81	16.70	35.45	137.43	22.51
High Density Residential	52.01		97.84		46.67		103.18		39.93		109.92		31.51		118.34		16.37		133.47	
Highway Corridor Commercial	30.08		45.31		25.41		49.98		20.16		55.23		13.93		61.46		9.68		65.71	
Industrial	9.43	112.82	10.81	35.56	9.43	98.43	10.81	49.95	9.43	98.43	10.81	49.95	5.58	78.06	14.66	70.32	4.46	78.06	15.79	70.32
Low Density Residential	184.29	148.49	932.01	278.52	160.04	132.33	956.26	294.68	151.43	130.74	964.87	296.27	140.07	115.39	976.22	311.62	129.42	110.99	986.87	316.02
Medium Density Residential	78.04	3.35	122.36	2.11	56.63	3.35	143.78	2.11	53.02	3.35	147.39	2.11	47.49	3.35	152.91	2.11	38.97	3.35	161.43	2.11
Medium-High Density Residential	70.60		13.49		70.60		13.49		68.58		15.51		30.10		53.99		1.74		82.35	
Neighborhood Commercial	2.83		3.58		1.58		4.83		1.20		5.21		0.80		5.61		0.80		5.61	
Open Space	2.93	7.43	214.21	48.14	2.93	6.58	214.21	48.99	2.93	6.58	214.21	48.99	2.93	6.58	214.21	48.99	2.93	6.58	214.21	48.99
Planned Business Park	69.94	49.84	9.98	4.68	69.94	48.67	9.98	5.84	69.94	44.03	9.98	10.48	69.94	44.03	9.98	10.48	69.94	44.03	9.98	10.48
Planned Industrial Park	49.61	145.75	13.96	116.76	49.61	135.81	13.96	126.70	49.61	117.59	13.96	144.93	49.61	110.38	13.96	152.13	49.61	96.14	13.96	166.38
Public Facilities	9.89		348.46	17.71	9.89		348.46	17.71	9.89		348.46	17.71	9.89		348.46	17.71	9.89		348.46	17.71
Residential Office	23.27		70.12		13.64		79.74		8.37		85.02		4.62		88.77		3.26		90.12	
Residential Estate		25.13		45.26		17.11		53.28		16.11		54.28		15.15		55.24		5.59		64.80
	758.82	551.72	2005.66	574.22	652.40	487.27	2112.07	638.68	597.03	459.81	2167.44	666.14	493.41	415.35	2271.07	710.60	405.50	383.44	2358.98	742.50
	Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable	
	1310.54		2579.88		1139.67		2750.75		1056.84		2833.58		908.75		2981.67		788.94		3101.48	
Total Area	3890.42				3890.42				3890.42				3890.42				3890.42			

	ILR Ratio > 50%				ILR Ratio > 40%				ILR Ratio > 30%				ILR Ratio > 20%				ILR Ratio > 10%			
	Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable	
	City	UGA	City	UGA																
Auto/Industrial Commercial	61.45	3.25	42.87	23.18	61.45	3.25	42.87	23.18	55.65	3.25	48.67	23.18	53.68	3.25	50.64	23.18	41.73	3.25	62.58	23.18
Central Business District	20.98		20.01		18.26		22.73		16.15		24.85		12.08		28.92		10.87		30.13	
Community Commercial	46.59	41.71	107.54	16.25	36.90	40.32	117.23	17.65	28.96	40.32	125.17	17.65	22.27	40.13	131.86	17.84	16.86	39.74	137.27	18.22
High Density Residential	48.17		101.68		47.01		102.84		45.74		104.11		42.68		107.17		23.75		126.10	
Highway Corridor Commercial	21.61		53.77		20.16		55.23		14.85		60.54		13.93		61.46		13.02		62.37	
Industrial	6.12	112.10	14.13	36.27	6.12	112.10	14.13	36.27	2.27	112.10	17.97	36.27	2.27	103.14	17.97	45.23	2.27	90.96	17.97	57.42
Low Density Residential	144.08	128.18	972.21	298.83	142.27	127.75	974.03	299.25	139.62	114.13	976.68	312.88	130.60	114.13	985.69	312.88	114.94	114.13	1001.36	312.88
Medium Density Residential	65.51	3.35	134.89	2.11	65.27	3.35	135.13	2.11	64.03	3.35	136.37	2.11	58.57	3.35	141.83	2.11	52.19	3.35	148.21	2.11
Medium-High Density Residential	71.47		12.62		69.44		14.65		69.44		14.65		67.12		16.97		49.58		34.52	
Neighborhood Commercial	1.95		4.46		1.58		4.83		1.17		5.24		1.17		5.24		1.17		5.24	
Open Space	3.68	6.24	213.45	49.33	3.68	6.24	213.45	49.33	3.68	6.24	213.45	49.33	3.68	6.24	213.45	49.33	3.68	6.24	213.45	49.33
Planned Business Park	69.94	47.83	9.98	6.68	69.94	47.83	9.98	6.68	69.94	47.83	9.98	6.68	69.94	44.03	9.98	10.48	69.94	44.03	9.98	10.48
Planned Industrial Park	51.22	146.65	12.35	115.86	51.22	146.65	12.35	115.86	51.22	146.65	12.35	115.86	51.22	139.45	12.35	123.07	51.22	127.25	12.35	135.27
Public Facilities	10.30		17.71		10.30		17.71		10.30		17.71		10.30		17.71		10.30		17.71	
Residential Office	10.43		82.95		8.77		84.61		5.03		88.36		4.75		88.63		4.12		89.26	
Residential Estate		16.11		54.28		16.11		54.28		16.11		54.28		15.15		55.24		15.15		55.24
	633.49	505.44	1782.93	620.51	612.36	503.62	1804.06	622.33	578.04	489.99	1838.38	635.95	544.25	468.88	1872.17	657.07	465.63	444.11	1950.79	681.84
	Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable		Developable		Undevelopable	
	1138.93		2403.44		1115.98		2426.39		1068.04		2474.33		1013.13		2529.24		909.73		2632.63	
Total Area	3542.36		910		3542.36				3542.36				3542.36				3542.36			