



PLANNING COMMISSION

AGENDA

March 23, 2010

CITY OF OAK HARBOR
PLANNING COMMISSION
REGULAR MEETING
Oak Harbor Municipal Shops
1400 NE 16th Avenue

AGENDA
March 23, 2010
7:30 P.M.

ROLL CALL: WIGGINS _____ JENSEN _____ NEIL _____
 FAKKEMA _____ FEY _____ WASINGER _____
 DALE _____

1. **Approval of Minutes – February 23, 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.
3. **TEXT AMENDMENT TO INCLUDE RESTRICTIONS ON DWELLING UNITS IN THE C- COMMUNITY COMMERCIAL DISTRICT NORTH OF NE 16TH AVENUE – Continued Public Hearing**
The Planning Commission will continue the public hearing on a text amendment that will restrict dwelling units in the C-3, Community Commercial District north of NE 16th Avenue. The text amendment is a follow up to the 2008 Comprehensive Plan Amendments during which recommendations were made to limit dwelling units in proximity to NAS Whidbey. The Planning Commission is expected to make a recommendation to the City Council.
4. **LOW IMPACT DEVELOPMENT (LID) CODE UPDATE PROJECT– Public Meeting (NO ACTION REQUIRED)**
This is a continued discussion of the LID code update. The discussion at this meeting will be about LID practices including parking maximums, native vegetation areas, open space in Planned Residential Developments, and grading practices. This agenda item is for discussion only. The Planning Commission will not be taking any action at this time.

MINUTES

February 23, 2010

Draft

**PLANNING COMMISSION
REGULAR MEETING
February 23, 2010**

ROLL CALL: **Present:** Mark Wiggins, Bruce Neil, Julie Dale, Keith Fakkema and Kristi Jensen.
 Absent: Nancy Fey and Greg Wasinger.
 Staff Present: Development Services Director, Steve Powers; Senior Planners, Ethan Spoo and Cac Kamak, Associate Planner, Melissa Sartorius and Civil Engineer, Brad Gluth.

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

MINUTES: **MS. JENSEN MOVED, MS. DALE SECONDED, MOTION CARRIED TO APPROVE THE JANUARY 26, 2010 MINUTES AS PRESENTED.**

PUBLIC COMMENT – None present to offer comment.

TEXT AMENDMENT TO INCLUDE RESTRICTIONS ON DWELLING UNITS IN THE C-3, COMMUNITY COMMERCIAL DISTRICT NORTH OF NE 16TH AVENUE – Public Hearing
The Planning Commission held a public hearing on a text amendment that will restrict dwelling units in the C-3, Community Commercial District north of NE 16th Avenue.

Mr. Kamak reported:

The text amendment is a follow-up to the 2008 Comprehensive Plan Amendments during which recommendations were made to limit dwelling units in proximity to NAS Whidbey. The proposed text amendment furthers goals and policies in the Comprehensive Plan to ensure that new land use and development proposals do not include dwelling units that may impact the operation of aircraft or reduce the operational capability of NASWI Ault Field.

The current C-3 designation allows residential use as an accessory to the primary use above the ground floor. The proposed restriction on dwelling units in the C-3, Community Commercial District, is area specific; which means that dwelling units are not permitted in the C-3 district for properties located north of the line commensurate with the alignment of NE 16th Avenue, extending between Regatta Drive and Heller Road. Since the City believes that it is appropriate to continue support of dwelling units in the Community Commercial to promote mixed use developments and encourage urban densities where it can be supported; the proposed amendment will continue to permit dwelling units above the ground floor on C-3, Community Commercial for properties south of NE 16th Avenue.

Mr. Kamak detailed the review criteria for the text amendment. Amendments must be consistent with the Oak Harbor Comprehensive Plan and must substantially promote the public health, safety and welfare. As such, the restriction on dwelling unit in the area north of NE 16th Avenue is intended to protect human beings from exposure to high noise levels at their primary place of residence. The welfare of the community is enhanced by limiting the area for development that will not interfere with the safe operation of aircrafts or reduce the operational capability of Ault Field and thus retaining NAS Whidbey on the island and providing a stable economic base for the residents.

At present, the proposed text amendment will apply to three properties that are currently zoned C-3, Community Commercial on the west side of SR 20 and north of NE 16th Avenue. Any existing dwelling units located on the ground floor on these properties are currently non-conforming and will continue to remain non-conforming. Therefore their status will not be impacted by the proposed amendment.

The owners of property zoned C-3, Community Commercial, located north of NE 16th Avenue have been notified by letter of the proposed amendment and the public hearing. Letters have also been sent to the Commanding Officer of NAS Whidbey Island and community liaison planner. A SEPA checklist has also been completed for the amendment and the comment period ends on March 8, 2010.

Mr. Kamak concluded by recommending that the Planning Commission opening the public hearing on the proposed amendments to the C-3, Community Commercial District, to restrict dwelling units north of NE 16th Avenue, and to continue the hearing to March 23, 2010 in order to meet all the process requirements.

Planning Commission Questions/Comments

Mr. Neil asked if the County was also doing the same. Mr. Kamak stated that the County was not.

Mr. Fakkema asked if this text amendment was creating another zoning district. Mr. Kamak said that it can be looked at as an overlay zone.

Ms. Jensen asked if hotels would be considered as a dwelling. Mr. Kamak clarified that dwelling units are defined as a place of primary residence.

Ms. Jensen asked if the mobile home park was to make improvements, would they be able to continue their current use. Mr. Kamak stated that non-conforming uses are not able to increase units and are only able to continue as they are, they can make minor improvements.

Ms. Dale asked if there were residential zoned properties in that area. Mr. Kamak indicated that there were some in the County but if they were annexed into the City they would take on the City's zoning.

Mr. Wiggins asked if there had been any response from the letters that were sent to the property owners or NAS. Mr. Kamak stated that he was meeting with the NAS liaison tomorrow and he would have more information at the March 23rd meeting.

Mr. Wiggins opened the hearing for public comment. No members of the public were present to offer comment.

ACTION: MS. DALE MOVED, MS. JENSEN SECONDED, MOTION CARRIED TO CONTINUE THE PUBLIC HEARING TO MARCH 23, 2010.

LOW IMPACT DEVELOPMENT (LID) CODE UPDATE PROJECT– Public Meeting (NO ACTION REQUIRED)

Mr. Spoo started by passing out illustrations of LID street sections that should have been included in the agenda packet (Attachment 1).

Mr. Spoo outlined the LID discussion as follows:

The practices that will be discussed are: (1) LID streets, (2) LID parking facilities, and (3) Coverage limits. Within each of these topics, the discussion is organized as follows:

- **Summary of the practice.** A description of the practice.
- **The decision tool.** How the specific practice affects the environment, city costs, private costs and the economy.
- **Policy issues/questions.** Questions for each specific practice that staff needs guidance on from Planning Commission. Staff requests that Planning Commission come prepared to discuss these questions.

LID Streets

Mr. Spoo revealed that streets make up 65%-80% of total impervious surfaces. Residential streets make up 60% of that total, yet handle the least traffic. LID streets are usually focused on three things: layout, width and surface. Layout and width were covered as part of the subdivision code. Now the focus will be the street surface.

Mr. Spoo displayed three LID street sections which PSP has proposed. One consists of a 60 foot arterial, with swale on one side and 36 feet of pavement; the second consisted of a 50-foot right-of-way and only 24 feet of pavement; the third was of a local street with 24 feet of pavement, a pervious parking lane, a swale on one side, pervious parking lane, and pervious shoulder.

Mr. Spoo displayed the decision tool table to assist the Commission in making decisions about what the impact of LID streets are on environment, city costs, private costs, and the economy. Mr. Spoo pointed out, as you move from making LID streets voluntary to mandatory; the table indicates that the environmental impacts are lessened. But, there may be some added expense in maintaining LID streets. Currently, there's very little information on maintenance costs of LID streets. But logically, there will be some added maintenance because you have the maintenance for a regular street, but will also have to send the vector truck out, as well. Also, conventional streets don't have rain gardens, so there will be maintenance required for the rain gardens. But, there could be some cost savings from better use of the site due to having smaller ponds to maintain. There are also questions as to who maintains the rain gardens. City of Seattle requires the property owners to maintain these, but they've had limited success with that.

Mr. Spoo asked for the Commission's policy guidance on the use of pervious pavements and rain gardens in public rights-of-way, as well as the use of LID streets with narrow designs (as narrow as 20 feet). Do we make LID streets voluntary, incentive, mandatory, who maintains them? Does staff need to look into customized design for streets? What about arterials and collectors?

Planning Commission Questions/Comments

Planning Commission offered the following:

- Make a certain percentage mandatory and the rest incentives to go above that percentage.
- Since the cost is unknown and there is limited income to the city, don't do anything until we have to.
- Uncomfortable with not knowing what that cost will be for maintenance because ultimately, the city will have to bear the cost because of the transient nature of the

community. Mr. Powers suggested that the maintenance cost could be built into the rate structure, but that is a question that the Council will have to answer.

- Commissioners liked the concept of LID and treating the stormwater at the source, aesthetically there is great potential, but not comfortable with making it mandatory.
- Commissioners liked the idea of offering open space credit for LID facilities.

LID Parking Facilities

Mr. Spoo reported that parking facilities make up a large percentage of the impervious surfaces in urban areas, second only to streets. As with streets, the main issues are the added maintenance of pervious surfaces and rain gardens. But, there's also some maintenance saved because of the possibility of a smaller stormwater pond.

Mr. Spoo raised the issue of parking maximums and noted that some jurisdictions are beginning to use parking maximum numbers now instead of minimums. Over time, many jurisdictions have found out that parking goes unused during much of the year. Oak Harbor uses minimums, which means that that you have to provide a minimum number of spaces. So, the question is, do we set parking maximums and let people go over that maximum if they can show that the demand is there for them to do that. The policy questions are whether to make LID parking facilities voluntary, encourage them through incentives, or mandatory. Does the Planning Commission want to look into parking maximums? Is that something the City should pursue?

Planning Commission Questions/Comments

- Consider hiring a company to perform the maintenance and build that cost into the utility bill.
- Commissioners liked the idea of having parking maximums and would like staff to pursue this idea.
- This would be a good place to start if the City was to make any of the LID practices mandatory. But mandatory is not the preference. A gradual approach may be to have larger parking lots have a percentage of pervious or other treatment.
- Commissioners expressed concern about mandating a practice that the research is still out on.

Mr. Gluth added, the longevity and clogging in the pours of the material is a concern and that he recently attended a class and found out that Seattle only allows pervious sidewalks in the public right-of-way. They don't allow pervious road sections because of the longevity concern and the special equipment needed to clean it. Mr. Spoo indicated that cities are allowing private property owners to use pervious surfaces because it is the private property owners' maintenance responsibility and those areas are not high traffic areas.

Limits on Impervious Surfaces

Mr. Spoo explained that this practice would restrict the amount of impervious surface that can be built on each lot. Those limits apply for each zone. The higher intensity zones, such as commercial and multifamily, will have fewer restrictions because we know that they will use more of the site. Lower intensity zones, such as R1, residential will have higher restrictions – meaning more of the site must be left undisturbed or have pervious surfaces. The Oak Harbor code does not currently have any restrictions on the amount of impervious surface that you can have for each lot. These proposed limits on impervious surface are most likely to affect developments in the R4, RO, C1 and C3 zones.

Mr. Spoo displayed the following table that is expressed as a percentage of the site by zone and compares the existing and proposed limits on impervious surface with the typical (average amount) seen in each zone.

Zone	Existing Limit	Proposed Limit	Typical Impervious	Maximum
PRE	None	45%	Less than 30	
R-1	None	55%	35 – 40%	
R-2	None	80%	40%	
R-3	None	80%	75%	
R-4	None	80%	75-80%	
RO	None	80%	80-90%	
C-1	None	90%	80-90%	
C-3	None	90%	70-90%	
C-4	None	Encourage permeable	75%	
C-5	None	Encourage permeable	90%	
CBD	None	90%	75%	
PBP	None	Encourage permeable	75%	
PIP	None	Encourage permeable	75%	
PF	None	85%	60%	
M-H	None	55%	40-50%	

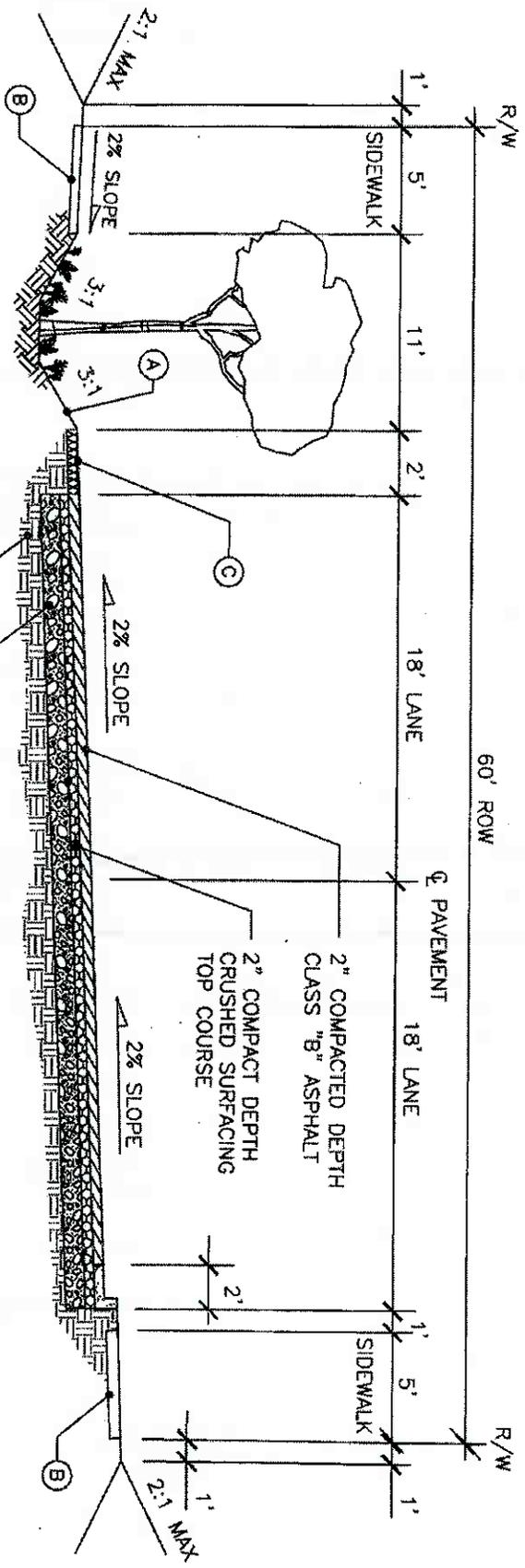
The policy questions are whether we make limits on pervious surfaces voluntary, incentive-based or mandatory? What does the Planning Commission think about the limits that have been proposed, are they restrictive enough, too restrictive?

Mr. Spoo noted, currently the City has an incentive-based system through our stormwater fees because our stormwater fees are tied to the amount of impervious surface that is on the site; so, the more hard surface there is, the more the stormwater fee is.

Mr. Powers conveyed, this topic will be discussed further at a later date as more of the pieces come together to put more context around limiting impervious surfaces.

Mr. Spoo indicated that next month the Planning Commission will consider open space in PRDs, native vegetation areas and grading practices.

BEING NO FURTHER BUSINESS BEFORE THE PLANNING COMMISSION, THE MEETING WAS ADJOURNED AT 8:50 P.M.



NOTES:

- 1 SITE SPECIFIC PAVEMENT DESIGNS ARE REQUIRED. PAVEMENT SECTION SHOWN IS MINIMUM REQUIRED.
 - 2 SLOPE EASEMENTS MAY BE REQUIRED.
- (A) BIORETENTION FACILITY
SEE DETAIL ST-LI5
 - (B) PERVIOUS CONCRETE
SIDEWALK SEE DETAIL ST-LI4
 - (C) PERVIOUS SURFACING
SEE DETAIL ST-LI4

6" CLASS "B" COMPACT DEPTH
GRAVEL BASE COURSE
1 FT COMPACTED SUBGRADE
(95% OF MODIFIED PROCTOR)

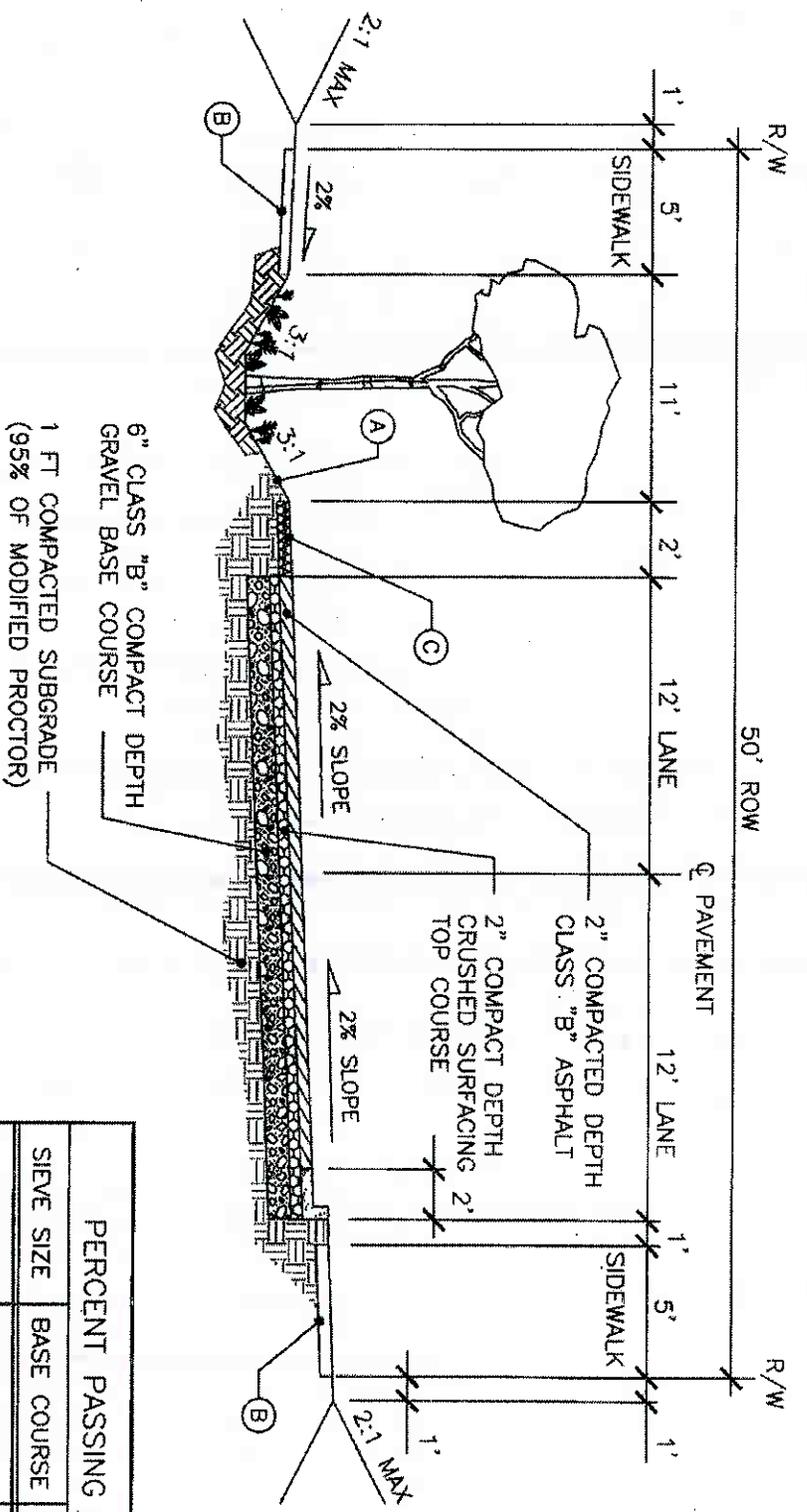
2" COMPACTED DEPTH
CLASS "B" ASPHALT
2" COMPACT DEPTH
CRUSHED SURFACING
TOP COURSE

AGGREGATE PARAMETERS		
SIEVE SIZE	BASE COURSE (% PASSING)	TOP COURSE (% PASSING)
1 1/4" SQ.	100	
3/4" SQ.		100
5/8" SQ.	50-80	
1/4" SQ.	30-50	55-75
US No. 40	3-18	8-24
US No. 40	7.5 MAX.	10.0 MAX.
% FRACTURE	75 MIN.	75 MIN.
SAND EQUIVALENT	35 MIN.	35 MIN.

City of Oak Harbor
ENGINEERING DEPARTMENT
885 SE Burlington Drive
Oak Harbor, WA 98277

**TYPICAL STREET SECTION
LOW IMPACT DEVELOPMENT
ARTERIAL - 60' ROW**

ST-LI1
revision date
12-3-08



- NOTES:**
- 1 SITE SPECIFIC PAVEMENT DESIGNS ARE REQUIRED. PAVEMENT SECTION SHOWN IS MINIMUM REQUIRED.
 - 2 SLOPE EASEMENTS MAY BE REQUIRED.
- (A) BIORETENTION FACILITY
SEE DETAIL ST-LI5
 - (B) PERVIOUS CONCRETE
SIDEWALK SEE DETAIL ST-LI4
 - (C) PERVIOUS SURFACING
SEE DETAIL ST-LI4

1 FT COMPACTED SUBGRADE
(95% OF MODIFIED PROCTOR)

6" CLASS "B" COMPACT DEPTH
GRAVEL BASE COURSE

2" COMPACTED DEPTH
CLASS "B" ASPHALT

2" COMPACT DEPTH
CRUSHED SURFACING 2"
TOP COURSE

PERCENT PASSING TABLE

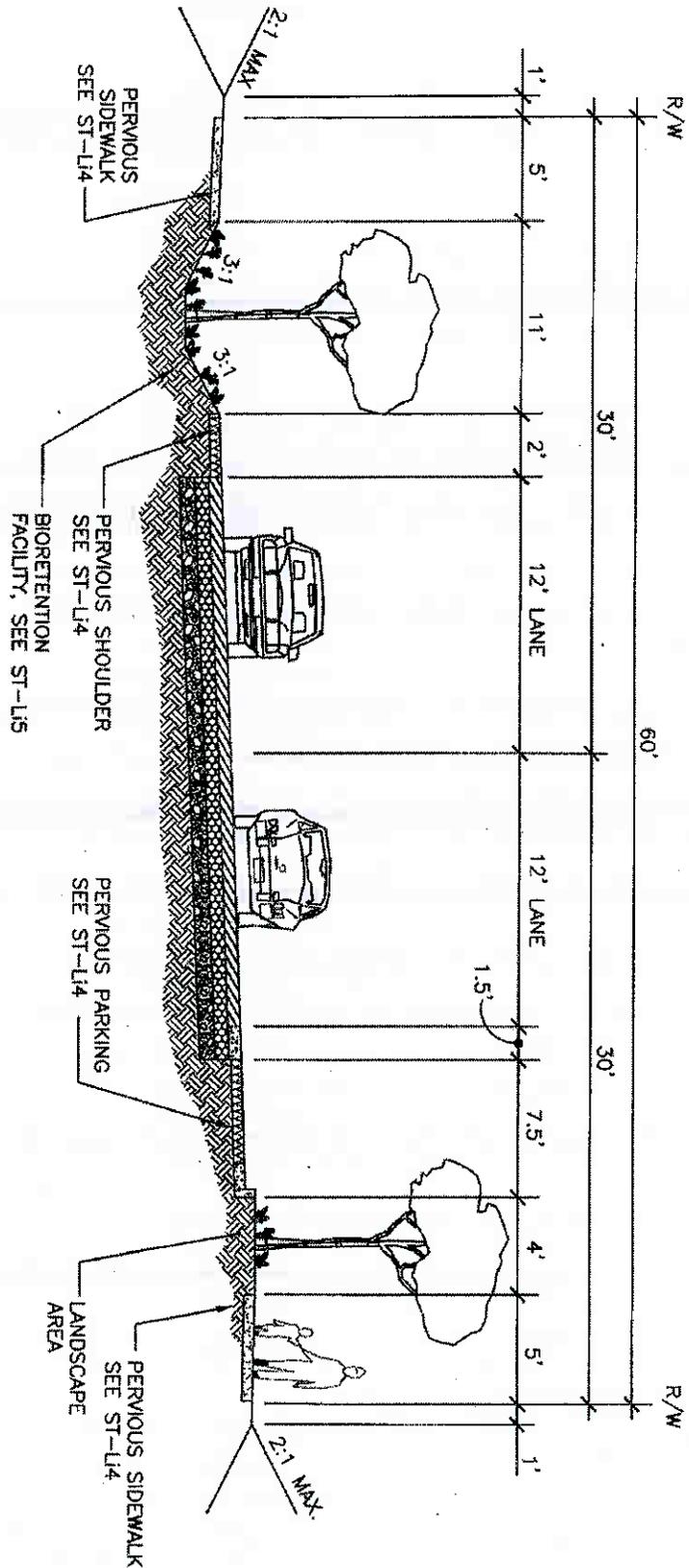
SIeve SIZE	BASE COURSE	TOP COURSE
1 1/4" SQ.	100	
3/4" SQ.		100
5/8" SQ.	50-80	
1/4" SQ.	30-50	55-75
US No. 40	3-18	8-24
US No. 40	7.5 MAX.	10.0 MAX.
% FRACTURE	75 MIN.	75 MIN.
SAND EQUIVALENT	35 MIN.	35 MIN.



TYPICAL STREET SECTION
LOW IMPACT DEVELOPMENT
ARTERIAL - 50' ROW

ST-LI2
revision date
12-3-08

"LOW IMPACT DEVELOPMENT" STREETS



NOTES:

1. "LOW IMPACT DEVELOPMENT" STREETS ARE INTENDED TO SERVE AREAS WITH ZONING LESS THAN R-8 CLASSIFICATION.
2. SPECIFIC TREATMENT TO BE USED REQUIRES APPROVAL FROM PUBLIC WORKS DEPARTMENT.

TYPICAL ILLUSTRATION
 LOW IMPACT DESIGN
 RESIDENTIAL STREETS

City of Oak Harbor
 ENGINEERING DEPARTMENT
 885 SE Burlington Drive
 Oak Harbor, WA 98277

TYPICAL STREET SECTION
 LOW IMPACT DEVELOPMENT

ST-LI3
 revision date
 12-3-08

Text Amendment to
C-3 Community Commercial
District

**City of Oak Harbor
Planning Commission**

Date: March 23, 2010
Subject: Text Amendment to restrict
dwelling units in the C-3,
Community Commercial District
north of NE 16th Avenue

FROM: Cac Kamak
Senior Planner

INTRODUCTION

The Planning Commission opened a public hearing on the proposed text amendment on February 23, 2010 and continued it to the March 23, 2010. Staff presented the proposed text amendments at the February 23, 2010 meeting. The proposed text amendment is to restrict dwelling units on properties designated as C-3, Community Commercial, for properties located north of NE 16th Avenue. The proposed text amendment furthers goals and policies in the Comprehensive Plan to ensure that new development proposals in the area do not include dwelling units that may impact the operation of aircraft or reduce the operational capability of NASWI Ault Field.

SUMMARY STATEMENT

This proposed text amendment is a follow-up to the 2008 Comprehensive Plan Amendments and, if approved, will restrict any dwelling units from being developed in the C-3, Community Commercial District for properties located north of a line commensurate with NE 16th Avenue extended westward and eastward to the City limits.

The proposed text amendment will primarily apply to properties that may be rezoned for Community Commercial in the future. The City is currently not aware of any requests for change nor does it have any plans to change land use designation north of NE 16th Avenue to Community Commercial. However, if a trend develops to convert industrial land into commercial land due to a slow rate of absorption for industrial uses or any other reason, the proposed text amendment will ensure that dwelling units will not be part of any development plans.

The proposed text amendment will apply to three properties that are currently zoned C-3, Community Commercial, on the west side of SR 20 and north of NE 16th Avenue. Any existing dwelling units located on the ground floor on these properties are currently non-conforming and will continue to remain non-conforming. Therefore their status will not be impacted by the proposed amendment.

The proposed text amendment furthers goals and policies in the Comprehensive Plan and also meets the review criteria provided in Oak Harbor Municipal Code Chapter 19.80.20.

PROCESS

Text amendments are considered a Type V review process in which the Planning Commission conducts a hearing and makes a recommendation to the City Council. The Council also conducts a public hearing before making a decision. The Planning Commission opened and continued the public hearing on February 23, 2010 to the meeting on March 23, 2010. The City Council has tentatively scheduled a hearing on the proposed text amendments for its April 6, 2010 meeting.

The owners of property zoned C-3, Community Commercial, located north of NE 16th Avenue have been notified by letter of the proposed amendment and the public hearing. No comments were received. Letters were also sent to the Commanding Officer of NAS Whidbey Island and Navy's community liaison planner. A letter from the Commanding Officer expressing support for the proposed amendment was received on March 15, 2010 and has been attached to this report.

The Department of Commerce authorized an expedited review of the proposed regulations. No comments were received. A SEPA checklist was also been completed for the proposed amendment with a comment period that ended on March 8, 2010. No comments were received. A SEPA determination of non-significance was issued for the project on March 17, 2010.

RECOMMENDED ACTION

- Close the Public Hearing
- Recommend that the City Council adopt the ordinance amending Oak Harbor Municipal Code Section 19.20.340 Principal Permitted Uses in the C-3, Community Commercial District to restrict dwelling units north of NE 16th Avenue.

ATTACHMENTS

1. Ordinance adopting the text amendment
2. Letter of support from the NAS Whidbey Island

Article IX. C-3 -- Community Commercial

19.20.335 Purpose and intent.

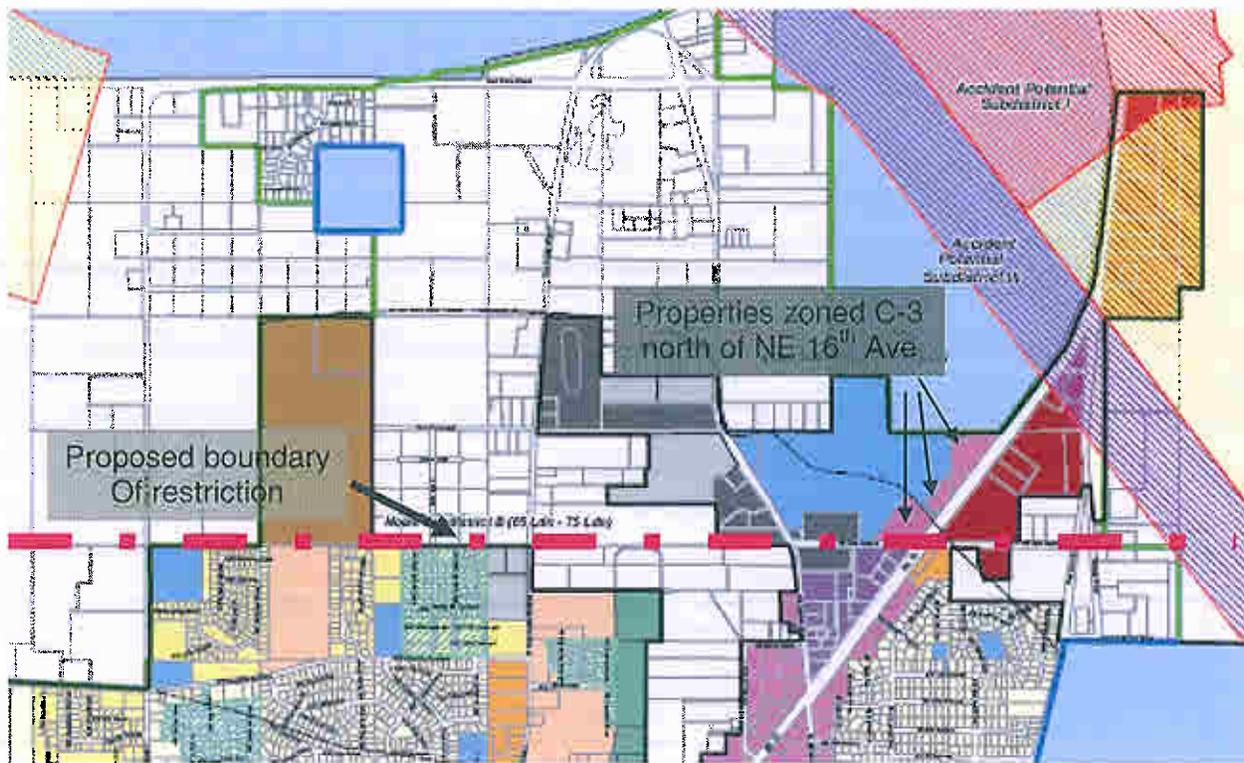
The C-3 community commercial district is intended to provide for those types of retail, wholesale, transportation, and service uses which, because of traffic and other requirements, depend upon particular locations to serve the needs of the community and its trading area. Generally, the permitted uses require large sites and access from either major or minor arterials. This district also supports mixed use developments except in proximity to NAS Whidbey Ault Field where residential uses should be restricted. (Ord. 1555 § 8, 2009).

19.20.340 Principal permitted uses.

In a C-3 district, the following are principal uses permitted outright:

- (1) Any principal use permitted in a C-1 and CBD district, provided that dwelling units are:
 - (a) For properties located south of a line commensurate with the alignment of NE 16th Avenue, extending between Regatta Drive and Heller Road are:
 - (i) Above and secondary to essential or primary floor uses;
 - (ii) Accessed at the ground level access is independent of the business uses from an inside lobby, elevators, and/or corridors, and an enclosed interior court, or other separate access provisions;
 - (b) Are not permitted on properties located north of the line commensurate with the alignment of 16th Avenue, extending between Regatta Drive and Heller Road;
- (2) Amusement enterprise including bowling alley, roller or ice rink, dancehall, shooting gallery, and trampoline;
- (3) Animal hospital when located not closer than 200 feet from a residential zoning district, provided all animals are housed in a completely enclosed building;
- (4) Assembly hall;
- (5) Automobile or truck service station;
- (6) Automobile repair of all kinds, including body and fender work, provided there shall be no wrecking, junking, dismantling, or salvaging operations;
- (7) Automobile sales and service;
- (8) Bakery;
- (9) Book publishing and binding;
- (10) Car wash;
- (11) Contractor's plants and storage yards;
- (12) Currency exchange;
- (13) Extended stay motel;
- (14) Feed and seed store, retail or wholesale;
- (15) Film processing plant;
- (16) Grocery store;
- (17) Laboratory for experimental or research work or testing;
- (18) Laundry and dry cleaning, dyeing, or rug cleaning plant;
- (19) Nursery and landscape material including greenhouses;
- (20) Offices;
- (21) Plumbing shop;
- (22) Places of entertainment;
- (23) Recycling of glass and metal cans when conducted within a wholly enclosed building, including scrap paper or rag storage;
- (24) Shopping centers;
- (25) Sign shop, but not manufacture or assembly of electrically illuminated signs;

- (26) Supermarket;
- (27) Taxidermist;
- (28) Upholstery shop;
- (29) Veterinary clinic (hospital) (see animal hospital);
- (30) Other uses of similar character, but not including a specific listed industrial use permitted in an I industrial district, subject to approval by the city council;
- (31) Other uses as defined by the planning director to be similar to those identified above and having equal or less impact on the purposes of this section. (Ord. 1555 § 8, 2009).





DEPARTMENT OF THE NAVY
NAVAL AIR STATION WHIDBEY ISLAND
OAK HARBOR, WASHINGTON 98278-5000

Received
3-11-10 RR

cc: Paul Schmidt
Steve Powers

5216
Ser N00/0338
March 15, 2010

The Honorable Jim Slowik
Mayor, City of Oak Harbor
865 S.E. Barrington Drive
Oak Harbor, WA 98277

Dear Mayor Slowik:

SUBJECT: OAK HARBOR MUNICIPAL CODE AMENDMENT (ZONING CODE)

Naval Air Station Whidbey Island is in complete support of the proposed amendment to the Municipal Code to restrict dwelling units on properties designated as C-3, Community Commercial, located northeast of 16th Avenue. This amendment will eliminate any confusion regarding residential uses being incorporated into commercial development in high noise areas without limiting opportunities for mixed use in more appropriate commercial developments.

Thank you for the opportunity to be active partners in planning for the safety of our citizens and aircrew.

Sincerely,

A handwritten signature in black ink, appearing to read "G. K. David", written over the typed name.

G. K. DAVID
Captain, U. S. Navy
Commanding Officer

Low Impact Development Code
Project Update

Memo

To: City of Oak Harbor Planning Commission
Cc: File
From: Ethan Spoo, Senior Planner
Date: 3/18/2010
Re: LID – Parking Areas

Rather than introduce new topics this month, staff are following up on questions and issues raised at last month's meeting regarding LID parking areas. As requested by Planning Commission, staff researched the concept of a maximum (rather than a minimum) parking ratio. Staff findings on this issue are presented in this memorandum.

Parking Maximums

Many jurisdictions now use parking maximums as a way of, not only reducing the amount of impervious surface, but encouraging people to ride transit. The practice of setting maximum parking standards became more widespread in the 1990s and early 2000s, but maximum standards are not currently found in most zoning codes. "Parking maximums have been particularly prevalent in the Northwest due in part to state and regional goals and mandates."¹

There are several variations on parking maximums depending on the intended outcome. Many jurisdictions use parking maximums in combination with minimums to establish a range. The maximum can be either an absolute number of spaces (i.e. 5 spaces per 1,000 square feet of floor area) or a percent of the minimum (125% of the minimum parking requirement). It is also possible to set a "soft" maximum whereby exceptions to the maximum are allowed provided the applicant demonstrates that there is a sufficient need for the "extra" spaces.

In order to implement a maximum parking standard, the City of Oak Harbor needs to decide what the end goal is. If the goal is simply to reduce the amount of impervious surface and the large number of underutilized parking spaces, then a maximum standard that is set to equal demand on most days of the year may work well. If the goal, however, is to increase transit ridership and encourage people to walk or bike, then setting a maximum standard below what the actual demand is on most days could be considered. The second option would purposely set parking standards lower than demand, to encourage people to switch to other modes of travel and would involve a broader policy discussion than is possible as part of the LID code update project.

The scope of the LID project, in the context of parking facilities, is to reduce impervious surfaces. With that objective in mind, Planning Commission could consider the following approach:

¹ "Parking Standards", page 13. Michael Davidson and Fay Dolnick. American Planning Association, Planning Advisory Service Report Number 510/511.

- **Use a range.** The City could use a range (both minimum and maximum standards). The minimum will ensure that there are not too few spaces provided, while the maximum will reduce the number of excessively large, underutilized parking areas.
 - **Use a “soft” maximum.** This would allow applicants to exceed the maximum subject to specific criteria being met. For example, the criteria might specify that 95 percent (as an example) or more of the parking must be occupied during five days or more per year for an exception to be granted. In other words, having large numbers of underutilized parking spaces which are only occupied only during the holidays (and a few other times of the year) would not be allowed. To exceed parking maximums, applicants would be required to apply for a variance, whereby they demonstrate that the extra parking is needed more than five days per year.
- **Set the maximum to equal demand on an “average” day.** If the intent of a parking maximum is to reduce the number of parking spaces which are only used a few times per year, the City could use a maximum which is set to equal peak demand on an “average” day as opposed to peak demand on the busiest shopping day of the year.

Provided the Planning Commission is amenable to these general guidelines, staff will draft code language as part of the LID Code Update which follows the approach outlined above.

Next Month

Next month, staff will present some design options for LID streets, as well as introduce three new topics: (1) native vegetation areas, (2) grading practices, and (3) open space in PRDs.