

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

ROLL CALL: **Present:** Mark Wiggins, Julie Dale, Keith Fakkema, Kristi Jensen, Nancy Fey and Greg Wasinger.
 Absent: Bruce Neil
 Staff Present: Senior Planners, Ethan Spoo and Cac Kamak and Associate Planner, Melissa Sartorius.

Chairman Wiggins called the meeting to order at 7:35 p.m.

MINUTES: MS. JENSEN MOVED, MR. FAKKEMA SECONDED, MOTION CARRIED TO APPROVE THE FEBRUARY 23, 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 – Continued Public Hearing

The Planning Commission continued their 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 reminded the Commission that the public hearing was continued to March 23, 2010 in order to meet all the process requirements regarding notification and public input. Since the meeting in February, the State has been notified that we are amending our development regulations and requested an expedited review which was authorized. The State notified other agencies for comment and no comments were received. A letter was sent to NAS Whidbey Island and the Commanding Officer supporting the text amendment. No comments were received regarding the SEPA Checklist or the Determination of Non-significance.

Mr. Kamak concluded by recommending that the Planning Commission close the public hearing and forward a recommendation to the City Council to 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.

Planning Commission Questions/Comments

Commissioner Jensen asked if the zoning designation could be C-3a in order to differentiate it from regular C-3. Mr. Kamak said that it would be like creating a new zoning category which is more involved. What the Commission is doing is similar to creating a restriction in the C-3 zone.

Chairman Wiggins called for additional public comment. No comments were forthcoming.

Chairman Wiggins closed the public hearing.

ACTION: MS. FEY MOVED, MR. FAKKEMA SECONDED, MOTION CARRIED TO FORWARD A RECOMMENDATION TO THE CITY COUNCIL TO APPROVE 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.

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

Mr. Spoo stated that this session was a follow-up on issues and questions the Commission had last month regarding parking maximums. Staff researched parking maximums, and found that jurisdictions use parking maximums to reduce impervious surface and encourage transit use.

The following are several variations on parking maximums depending on what the end goal is.

- A maximum parking standard, with no minimum standard can be set. This type of maximum can be seen in very dense downtowns like Portland or Seattle, because they have alternative transportation. These downtowns purposely don't have enough parking for to meet the demand for cars, because they want people taking other forms of transportation.
- A range which is both a minimum and a maximum is more common in the suburbs where you want to ensure there's at least a minimum number of parking spaces so that you don't experience overflow parking into adjacent neighborhoods.
- A hard maximum – no exceptions.
- A soft maximum – with exceptions, so that somebody can vary from the maximum under certain criteria.
- Maximum amount of impervious spaces, if you go above the maximum impervious surface the rest has to be pervious. Therefore, a limit is not being set on the number of spaces, just what those spaces are made of.

Mr. Spoo asked the Commission for input on whether the City should consider using a range (both minimums and maximums), and using a soft maximum whereby exceptions to the maximum would be allowed in extenuating circumstances? Finally, where the maximum is set is key – the more restrictive the maximum is the more you have to think and plan carefully. Staff isn't asking the Commission to set the maximum number of spaces at this meeting, but just to consider the general features.

Mr. Spoo stated that the following guidelines could be drafted for as part of the LID Code update if the Planning Commission agrees:

- **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.

Planning Commission Questions/Comments

- Commissioners discussed businesses that have more parking than is necessary and business owner’s ability to reduce the number of parking spaces in order to utilize the property more efficiently should they choose to do so. Commissioners also recognized that some corporations have standard designs that are used.
- Commissioners noted that there are many variables such as types of business and hours of operation that enter into the equation for setting parking limits. Mr. Spoo stated that the city can set criteria that would have to be met before the city would allow parking spaces beyond the maximum allowed.
- Commissioners asked staff about staff’s experience with developer demands for parking. Staff indicated that usually want as much parking as possible.
- Commissioners liked the idea of being flexible but with parameters.

BEING NO FURTHER BUSINESS BEFORE THE PLANNING COMMISSION, THE MEETING WAS ADJOURNED AT 8:11 P.M.