

**PLANNING COMMISSION
REGULAR MEETING
January 26, 2010**

ROLL CALL: **Present:** Mark Wiggins, Bruce Neil, Julie Dale, Keith Fakkema and Greg Wasinger.
 Absent: Nancy Fey and Kristi Jensen.
 Staff Present: Development Services Director, Steve Powers; 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: MR. FAKKEMA MOVED, MR. WASINGER SECONDED, MOTION CARRIED TO APPROVE THE NOVEMBER 26, 2009 MINUTES AS PRESENTED.

PUBLIC COMMENT – None present to offer comment.

PRELIMINARY (proposed) DOCKET FOR THE 2010 COMPREHENSIVE PLAN AMENDMENTS – Public Hearing

The Planning Commission held a public hearing on the preliminary docket for the 2010 Comprehensive Plan amendments.

Mr. Kamak reported that the Growth Management Act (GMA) requires the city to adopt a Comprehensive Plan and to revise it pursuant to RCW 36.70a.130.

Mr. Kamak explained that the process to amend the Comprehensive Plan was revised with the adoption of Chapter 18.15 to the Oak Harbor Municipal Code by the City Council in December of 2009. The new process includes the consideration of a preliminary docket to review the proposed amendments. The purpose of this public hearing is to present the preliminary docket for the 2010 Comprehensive Plan Amendments.

Mr. Kamak reported that the proposed amendments for 2010 include two mandated amendments and three city-initiated land use changes. The mandated amendments are the annual update to the Capital Improvements Plan and the UGA capacity analysis. Mr. Kamak detailed the amendments as follows:

Land Use Change Request for City Owned Property

- R13210-527-3480 – Scenic Heights Trailhead site - Land use change from Low Density Residential to Public Facilities
- R14437-231-3630 – Water Reservoir Site near Gun Club Road – Land use change from Planned Business Park to Public Facilities
- R13325-500-2250 – SE corner of SR 20 and Fakkema Road – Land use change from Auto/Industrial Commercial to Open Space

Capital Improvements Plan

This is an annual update to the Capital Improvements Plan. Sections of the Plan are updated to reflect the most recent and accurate information available. This normally includes updates to

reflect consistency with the Transportation Improvements Plan (TIP), updated revenues and expenditure provided by the Finance Department, and any changes to schedules or cost. This year's update may include a re-prioritization of the non-enterprise projects that are in Section 5 of the Plan.

UGA Capacity Analysis

The preliminary docket also includes the initial task of determining the capacity of the current UGA boundary. This is a precursor to any recommendations for changes to the UGA boundary. Therefore, the analysis proposed as part of the 2010 docket will not result in an amendment to the Comprehensive Plan but will set the stage to explore options for consideration in 2011 and eventual changes (if needed) in 2012.

Mr. Kamak concluded his presentation by recommending that the Planning Commission conduct its public hearing and to forward a recommendation to the City Council to approve the proposed Docket for the 2010 Comprehensive Plan Amendments.

Planning Commission Questions/Comments

Mr. Wiggins asked if staff could reach a threshold where the docket was too heavy. Mr. Kamak stated that the docket process helps to prioritize amendments so that they can be accomplished within the allotted time.

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

ACTION: MR. NEIL MOVED, MR. FAKKEMA SECONDED, MOTION CARRIED TO FORWARD A RECOMMENDATION TO THE CITY COUNCIL TO APPROVE THE PROPOSED DOCKET FOR THE 2010 COMPREHENSIVE PLAN AMENDMENTS AS PRESENTED.

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

Mr. Spoo reported that staff will talk about LID practices as they have been proposed by the Puget Sound Partnership in the draft code. These practices include new street designs, limits on hard surfaces, requirements for pervious parking, open space in planned developments, native tree retention requirements and grading practices.

Mr. Spoo explained that so much attention given to the Puget Sound and stormwater because water quality in Penn Cove is listed as being a high concern by the State. 59% of all test sites were listed as "impaired waters and much of that pollution can be attributed to stormwater runoff. DOE's thinking is that the economy depends on the Puget Sound. People fish, boat, and build near the Puget Sound, therefore an unhealthy Puget Sound equals an unhealthy economy. Because the Puget Sound is a shared resource, we all have to do something about it, or the solution won't work.

Mr. Spoo moved on to talk about the organization of the code, specific LID practices in the code, incentives for LID and the "LID Project."

Mr. Spoo explained the organization of the Draft Code as follows:

- Uses existing code structure
- Individual practices inserted into the code

- Proposes a new Title 22 “LID Projects”
- A “family” of practices
- Builds on the individual practices in the rest of the code

Mr. Spoo presented the following table which illustrates specific LID practices in each Title.

Code Title	Name	Chapter	LID Practices
Title 11	Streets	All	LID Streets (designs for local, collector and arterials). Permeable driveways and sidewalks.
Title 12	Stormwater	All	Includes general language allowing for LID practices.
Title 19	Zoning	19.20	Impervious limits for each zone .
	PRDs	19.31	Impervious limits for PRDs (averaged across site, not by lot).
	Parking	19.44	Pervious pavements and rain gardens for parking areas.
	Landscaping & Screening	19.46	Vegetation maintenance, tree density standards, retention, replanting.
	Clearing and Grading	19.47	Best practices. Boils down to clear less, control erosion.
Title 21	Subdivisions	All	LID streets, sidewalks and driveways (repeat Title 11), corridor buffers as LID facilities.
Title 22	LID Projects	All	Repeat of all above, with emphasis on definition of "LID project" and incentives for these projects.

Mr. Spoo elaborated on the proposed new Title 22. Mr. Spoo explained that Title 22 defines what an LID project is and the purpose of this title is to encourage LID. Developers who incorporate LID into their projects get flexibility in code standards from the City. This chapter uses criteria to draw a line between what is an LID project and what is not. The chapter also offers incentives for LID projects which meet the criteria including density bonuses and reduction in lot sizes. The Planning Commission has the authority to make recommendations that the City, adjust definitions and the incentives package. The City can tailor it to our unique circumstances.

Mr. Spoo asked the Planning to consider the following questions:

- Should we be encouraging LID?
- Are we talking about a net benefit here?
- Voluntary, incentive-based or mandatory?
- What’s the right mix for Oak Harbor? It’s our community?
- How should the code be organized?
- Sprinkled throughout or one location?

Mr. Spoo close by giving the following preview of what the Planning Commission will be discussion next month.

- Will talk about individual LID practices
- LID streets
- Limits on impervious surface by zone
- LID parking facilities and pervious surfaces

Planning Commission Questions/Comments

Ms. Dale asked if there was a formula to determine density bonuses and if density bonuses are given, is there a net gain by giving density bonuses.

Mr. Spoo explained that there are performance standards that function as a formula. If the developer applies for density bonuses the performance standards apply to the added density as well.

Mr. Fakkema asked if there will come a time when all developments are LID developments. Mr. Spoo said that currently the Planning Commission will help decide whether LID is voluntary, incentive-based or mandatory. Mr. Spoo also stated that the update to the NPDES Phase 2 permit is tending more toward a mandatory and incentive-based approach to make applicants and City's move toward LID.

Mr. Neil asked if there were any cities that treat stormwater. Mr. Powers said that there are none because it is financially impractical due to the high volume of stormwater. Rather than treating it at the end, the approach is to treat it at the source by reducing the amount that runs to the outfall.

Mr. Neil asked if there were similar LID projects across the United States. Mr. Spoo stated that the Chesapeake Bay area has been using LID for about a decade.

Mr. Wasinger asked if it was cost prohibitive for Home Depot to have done their stormwater differently. Mr. Powers said that cost was part of the equation but some of it was also the model that the particular corporate entity is familiar with. Another part is the amount of parking that the jurisdiction requires or allows. Some jurisdictions have decided to place a maximum number of parking spaces for projects. Most jurisdictions have minimums.

Mr. Wasinger asked about the back parking lot at K-mart that is never used. He thought that the City had required the extra parking. Mr. Powers stated that the parking issue could be addressed and that most parking codes are based on trying to provide parking for that worst case scenario and do we really need a parking lot sized to handle Black Friday when the majority of the rest of the year that size parking lot is not needed.

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