

**PLANNING COMMISSION  
REGULAR MEETING  
CITY HALL – COUNCIL CHAMBERS  
June 24, 2014**

**ROLL CALL: Present:** Keith Fakkema, Bruce Freeman, Sandi Peterson, Greg Wasinger and Ana Schlecht  
**Absent:** Kristi Jensen and David Fikse  
**Staff Present:** Development Services Director, Steve Powers and Senior Planner, Cac Kamak

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

**PUBLIC COMMENT:**

No comments.

**MINUTES:** Mr. Fakkema pointed out that the first bullet point under the Ry McDuffy comments on page 8 should be corrected to state, “The applicant prefers that the City own and maintain the pedestrian connection in Tract 999 rather than it being owned and maintained by the HOA as proposed by staff and required by the City’s subdivision code”.

**MS. PETERSON MOVED, MR. WASINGER SECONDED, MOTION CARRIED TO APPROVE THE MAY 27, 2014 MINUTES AS CORRECTED.**

**COMPREHENSIVE PLAN LAND USE MAP AMENDMENT – Public Meeting**

Mr. Kamak provided background information on the Comprehensive Plan Land Use Map amendment proposed for 1000 City Beach Street. The property is owned by the City and is currently designated as High Density Residential. The proposal is to change the land use designation to Public Facilities (PF). Since the City is not in the business of developing high density residential areas the High Density Residential will never be realized while the City owns the property. This item was on the 2013 Comprehensive Plan docket but the City delayed this discussion due to the idea that this property could be the potential site for the cultural resources that was discovered as part of the Pioneer Way project. The settlement agreement with the Tribe is that if the PF land use designation is approved the property will be transferred to the tribe so that the remains from Pioneer Way can be placed at this site. Regardless of this Tribal agreement the PF designation is still appropriate since all City properties are designated PF.

Mr. Fakkema asked for public comments.

**Katherine Phillips** (1192 Channel Lane) stated that she was the owner of a duplex south of the property being discussed. She commented that the highest and best use of the property if the City sold it was for multifamily residential since that is what surrounds the property. She also expressed concern was the ingress and egress since the current ingress and egress is clustered with parking. She asked if there would be plans to have ingress and egress on the north side of the property.

**Planning Commission Discussion**

Commissioners asked about the ingress and egress and whether the entire property would be designated PF.

Mr. Kamak indicated that the entire property would be PF and that there is an additional access from 8<sup>th</sup> Street which is likely and access easement.

Mr. Powers noted that there would be very little access since the Tribe indicated that privacy was important to them.

Mr. Powers also noted that the question is not whether the use for cultural remains is appropriate at that location but is the designation appropriate for City owned property to be designated PF. The issue of the settlement with the Tribe is a separate issue that the Planning Commission won't be involved in.

Mr. Fakkema asked if the designation could be changed again if circumstances changed. Mr. Powers indicated that the designation could be changed. Ms. Peterson asked if there would be a fee to change the land use or would it just be the stroke of a pen. Mr. Powers indicated that it would depend on the circumstances.

**Linda Earnhart** stated that she owned the 4-plex next to the property and asked if it would be possible to change the access from City Beach Street to the north side.

Mr. Power indicated it would be possible but there would be expense to somebody to acquire the rights-of-way and to construct the street.

There was further discussion about the history of the right-of-way and the current state of the property.

#### **2014 COMPREHENSIVE PLAN AMENDMENT – SCENIC VIEWS – Public meeting**

Mr. Kamak displayed a PowerPoint slides (PC Attachment 1) covering the history of this project, the criteria and rating of the 9 scenic views selected for further review and Comprehensive Plan goals relating to preserving view corridors.

There was discussion about the conflict between some of the regulations such as tree preservation, landscaping requirements and setback requirements that can be counterproductive to protecting views.

There was also discussion about the complexity of drafting regulations which would entail deciding which properties are affected and writing specific or general zoning standards and design regulations for those properties. Coordination with property owners would also be necessary. There was some concern over infringing on private property rights. The issue of undergrounding utilities was also raised.

Mr. Kamak asked the Planning Commission to consider whether all 9 views are still important or if they should be reduced further. He also asked them to consider whether they are comfortable with the current regulations for view preservation.

Mr. Freeman indicated that he was comfortable with the current regulations for view preservation.

Planning Commissioners reviewed the 9 views and decided to keep:

1. Northbound SR 20 – Scenic Heights to Erie
2. Windjammer Park – Waterfront Trail
3. Flintstone Park – Waterfront Trail

4. Bayshore Drive – Dock St to Midway Blvd
5. Pioneer Way – Midway Blvd to Regatta Drive
6. Regatta Drive– SE 8<sup>th</sup> to Pioneer Way
7. Southbound SR 20 and NE 16<sup>th</sup> Ave

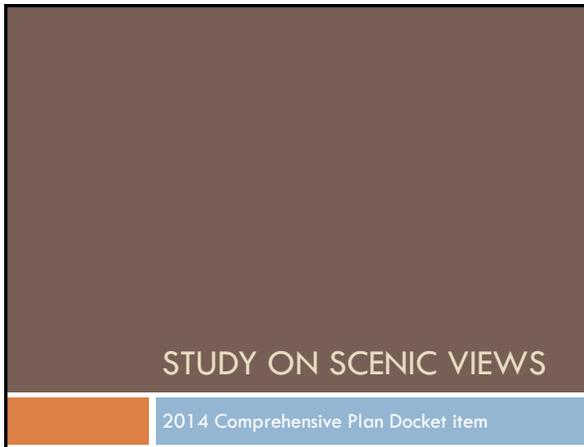
Planning Commissioners decided to dispense with the following due to concerns about infringing on property rights:

8. Pioneer Way – Ireland to Midway Blvd
9. Dock Street – Barrington Dr to Bayshore Dr

Planning Commissioners also decided to combine views No. 2, 3, 4, and 5 and refer to them as the Waterfront Trail.

**ADJOURN: 8:45 p.m.**

Minutes submitted by: Katherine Gifford



### Scenic Views - Background

- 2012 Comprehensive Plan Docket – by Planning Commission
- Categorized as “Discretionary” (OHMC 18.50.050)
- Public outreach
- Evaluation criteria
- Evaluated 27 views
- Selected 9 for further review

### Criteria for consideration

- View from public property
- View from a busy street
- View from pedestrian or bike routes
- View of a specific landmark
  - ▣ Strong City identity – Windmill, Oak Harbor Bay
  - ▣ Regional landmarks – Mt. Baker, Mt. Rainier,
- View across private property
  - ▣ Need to buy to protect view
  - ▣ Need to impose special zoning regulations

### Criteria

Proposed Criteria	Rating Score H = High M = Medium L = Low D = Deduct	Score
View from public property	H	100
View from streets		
SR 20	M	50
Arterial	M	50
Collector	L	25
Local	L	25
View from a pedestrian/pedestrian trail	H	100
View of a specific landmark	H	100
The need to buy property	D1	-100
The need for special zoning regulations	D	-50
<b>Additional Criteria</b>		
Entryway views	H	100
Waterfront connectivity	H	100
		Max = 550

1. Northbound SR 20 – Scenic Heights to Erie



1. Northbound SR 20 – Scenic Heights to Erie

Proposed Criteria	Rating Scale*	Score
View from public property	H	100
View from streets		
SR 20	M	50
Arterial	M	
Collector	L	
Local	L	
View from a pedestrian/bicycle trail	H	
View of a specific landmark	H	100
The need to buy property	D1	
The need for special zoning regulations	D	
Entry way views	H	100
Waterfront connectivity	H	
<b>Total</b>		<b>350</b>

2. Windjammer Park – Waterfront Trail



2. Windjammer Park – Waterfront Trail

Proposed Criteria	Rating Scale*	Score
View from public property	H	100
View from streets		
SR 20	M	
Arterial	M	
Collector	L	
Local	L	
View from a pedestrian/bicycle trail	H	100
View of a specific landmark	H	100
The need to buy property	D1	
The need for special zoning regulations	D	
Entry way views	H	
Waterfront connectivity	H	100
<b>Total</b>		<b>400</b>

3. Flintstone Park – Waterfront Trail



3. Flintstone Park – Waterfront Trail

Proposed Criteria	Rating Scale*	Score
View from public property	H	100
View from streets		
SR 20	M	
Arterial	M	
Collector	L	
Local	L	
View from a pedestrian/bicycle trail	H	100
View of a specific landmark	H	100
The need to buy property	D1	
The need for special zoning regulations	D	
Entry way views	H	
Waterfront connectivity	H	100
<b>Total</b>		<b>400</b>

4. Bayshore Drive – Dock St to Midway Blvd



4. Bayshore Drive – Dock St to Midway Blvd

Proposed Criteria	Rating Scale*	Score
View from public property	H	100
View from streets		
SR 20	M	
Arterial	M	50
Collector	L	
Local	L	
View from a pedestrian/bicycle trail	H	100
View of a specific landmark	H	100
The need to buy property	D1	
The need for special zoning regulations	D	
Entry way views	H	
Waterfront connectivity	H	100
<b>Total</b>		<b>450</b>

5. Pioneer Way – Midway Blvd to Regatta Drive



5. Pioneer Way – Midway Blvd to Regatta Drive

Proposed Criteria	Rating Scale*	Score
View from public property	H	100
View from streets		
SR 20	M	
Arterial	M	50
Collector	L	
Local	L	
View from a pedestrian/bicycle trail	H	100
View of a specific landmark	H	100
The need to buy property	D1	
The need for special zoning regulations	D	
Entry way views	H	
Waterfront connectivity	H	100
<b>Total</b>		<b>450</b>

6. Regatta Drive– SE 8<sup>th</sup> to Pioneer Way



6. Regatta Drive– SE 8<sup>th</sup> to Pioneer Way

Proposed Criteria	Rating Scale*	Score
View from public property	H	100
View from streets		
SR 20	M	
Arterial	M	50
Collector	L	
Local	L	
View from a pedestrian/bicycle trail	H	100
View of a specific landmark	H	100
The need to buy property	D1	
The need for special zoning regulations	D	
Entry way views	H	
Waterfront connectivity	H	100
<b>Total</b>		<b>450</b>

7. Southbound SR 20 and NE 16<sup>th</sup> Ave



7. Southbound SR 20 and NE 16<sup>th</sup> Ave

Proposed Criteria	Rating Scale*	Score
View from public property	H	100
View from streets		
SR 20	M	50
Arterial	M	
Collector	L	
Local	L	
View from a pedestrian/bicycle trail	H	
View of a specific landmark	H	100
The need to buy property	D1	
The need for special zoning regulations	D	
Entry way views	H	100
Waterfront connectivity	H	
<b>Total</b>		<b>350</b>

8. Pioneer Way – Ireland to Midway Blvd



8. Pioneer Way – Ireland to Midway Blvd

Proposed Criteria	Rating Scale*	Score
View from public property	H	100
View from streets		
SR 20	M	
Arterial	M	50
Collector	L	
Local	L	
View from a pedestrian/bicycle trail	H	100
View of a specific landmark	H	100
The need to buy property	D1	-100
The need for special zoning regulations	D	-50
Entry way views	H	
Waterfront connectivity	H	100
<b>Total</b>		<b>300</b>

9. Dock Street – Barrington Dr to Bayshore Dr



9. Dock Street – Barrington Dr to Bayshore Dr



9. Dock Street – Barrington Dr to Bayshore Dr

Proposed Criteria	Rating Scale*	Score
View from public property	H	100
View from streets		
SR 20	M	
Arterial	M	
Collector	L	
Local	L	25
View from a pedestrian/bicycle trail	H	100
View of a specific landmark	H	100
The need to buy property	D1	
The need for special zoning regulations	D	-50
Entry way views	H	
Waterfront connectivity	H	100
<b>Total</b>		<b>375</b>

### Option on protection measures

- Perimeter landscaping
- Increased setbacks
- Staggered building heights
- Limiting sign heights
- Limiting vegetation
- Limiting structures
- Removing structures
- Requiring public easements
- Purchasing property

## Comprehensive Plan Goals

- Land Use Element
  - Goal 2 - To retain the character and visual identity of the Oak Harbor area.
    - 2.a Encourage planned residential development (PRDs) with performance based standards.
    - 2.b Consider view corridors when planning for development.
    - 2.c Draft and implement a landscape ordinance for inclusion with development regulations.

## Comprehensive Plan Goals

- Land Use Element
  - Goal 4 - To preserve community character through quality design.
    - 4.a Encourage city beautification through design and quality standards for landscaping of both public facilities and private development.
    - 4.c Require all public facilities constructed by public agencies to be appropriately landscaped and designed.
    - 4.d Identify, preserve and enhance desired views of water, mountains or other unique landmarks or landscape features. Such views should be regarded as important and valuable civic assets.

## Comprehensive Plan Goals

- Urban Design Element
  - Goal 5 - Protect viewsheds and view corridors.
    - 5.a Consideration of building impacts on viewsheds and view corridors shall be exercised in all developments, and mitigation measures shall be applied to protect existing views.
    - 5.b Landscape buffers shall be required along major arterials, retaining existing vegetation where possible.
    - 5.c Free standing business signs should be consistent with the speed limit of roadways, and the character of land use districts.
    - 5.d Developments along Oak Harbor's waterfront should enhance the area's natural and physical aesthetics.
    - 5.e Scenic transportation routes should be identified. Adjacent properties owners will be encouraged to protect scenic values.
    - 5.f The City and the Navy should cooperate on the protection of viewsheds and view corridors.

## Challenges

- Transitory Nature of Views – Experiencing views while travelling through a community can be intermittent. Views can be broken up by structures, vegetation, signs etc. Should it be the community's goal to provide a non interrupted view of the landmarks surrounding the community? Should regulations unique to specific properties be considered to obtain uninterrupted views? (Regatta Drive view, Southbound SR 20 view, Pioneer Way view) Or, is it acceptable to have varying degrees of views available?