



# Planning Commission

## Regular Business Meeting

June 23, 2020

# Planning Commission Agenda

June 23, 2020

*Due to COVID-19, there will be NO physical meeting location per WA Proclamation 20-28. Meeting may be viewed live via YouTube or Channel 10.*

1. **ROLL CALL:** WASINGER \_\_\_\_\_ FREEMAN \_\_\_\_\_ BATES \_\_\_\_\_  
PHILIPP \_\_\_\_\_ SOUTHARD \_\_\_\_\_ HOVEY \_\_\_\_\_  
MALMKAR \_\_\_\_\_

2. **Approval of Minutes – February 25, 2020** Regular Business Meeting (March, April, and May meetings were cancelled)

3. **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.

4. **Public Meetings:**

A. **CENTRAL BUSINESS DISTRICT ZONING CODE REVIEW – Public Meeting**

Staff will present the results of a public opinion survey regarding uses within the Central Business District along with a discussion of the data collected, research completed by staff and potential revisions to the code. A revised timeline will be discussed with the delay due to the Covid-19 virus and it's effect on public commenting and outreach.

B. **HOUSING ACTION PLAN UPDATE – Public Meeting**

Staff will provide the Planning Commission with an update on the steps currently underway and a review of the scope of work for this project.

C. **SHORELINE MASTER PROGRAM UPDATE – Public Meeting**

Staff will brief the Planning Commission on the progress of this project and discuss the consultant scope of work.

D. **ZONING CODE REVISIONS: BUILDING HEIGHT DEFINITION AND ACCESSORY BUILDING STANDARDS – Public Meeting**

Staff is in the process of analyzing portions of the zoning ordinance for changes to enhance usability and efficiency. Potential changes to the ordinance for the topics of building height and accessory building regulations will be presented.

E. **2020 COMP PLAN AMENDMENTS – Public Meeting**

Staff will provide an update on the process and schedule of the amendments scheduled for this year.

5. **Adjournment**

Planning Commission

# Minutes

From February 25, 2020

Regular Business Meeting

June 23, 2020

**City of Oak Harbor  
Planning Commission  
Regular Meeting Minutes  
February 25, 2020 at 6:30 PM**

**Present:**

Bruce Freeman (Vice Chair)  
Hal Hovey, Commissioner  
Allen McPheeters, Commissioner  
Amy Malmkar, Commissioner  
Zachary Philipp, Commissioner

**Staff Present:**

Blaine Oborn, City Administrator  
Cac Kamak, Senior Planner  
Ray Lindenburg, Associate Planner  
Dennis Lefevre, Senior Planner  
Cathy Rosen, Public Works Director  
Brad Gluth, Stormwater Engineer

**Absent:**

Greg Wasinger (Chair)  
Tony Bates, Commissioner  
Steve Powers, Development Services  
Director

1. Vice Chair Bruce Freeman called the meeting to order at 6:30 PM.
2. **Approval of Minutes – January 28, 2020**  
*Motion:* Commissioner McPheeters moved to approve the January 28, 2020 minutes as presented.  
*Second:* Commissioner Zachary Philipp seconded the motion. With all in favor, the motion carried unanimously.
3. **Public Comment regarding items not on tonight's agenda:** There were no general comments from the public.
4. **Public Meetings and Hearings:**
  - A. **STORMWATER COMPREHENSIVE PLAN – Public Hearing – 6:31 pm.** The Planning Commission will conduct a public hearing on the Oak Harbor Stormwater Comprehensive Plan (Plan). The Plan is a document that provides guidance to minimize adverse effects of stormwater runoff on ground and surface water. It identifies water quality and quantity problems associated with stormwater runoff and provides recommendations for improvements and programs including cost analysis and implementation schedule. Planning Commission action will be recommended.

**Staff Comment / Commissioner Comment**

Mr. Lefevre, Senior Planner, presented and focused on the process of the project. The Plan is consistent with policies and goals and 2016 Comprehensive Land Use Plan. Discussed Policy 3.b, 5.d and the SEPA checklist.

Mr. Gluth, Stormwater Engineer, presented at 6:35 pm, explaining the body of the Plan. The first five chapters of the Plan were discussed extensively at the January meeting so tonight will be a summary of those. There were no questions/comments on Chapter 1: Introduction or Chapter 2: Drainage Area Characteristics. Regarding Chapter 3: Stormwater System Analysis, there were two items of interest: Garry Oak prairie mapping and reduced roof downspout

infiltration trench lengths. Vice Chair Freeman asked about the size of the pipe, rippling vs. smooth and the different diameters. Mr. Gluth discussed roof downspouts and trench lengths. Commissioner McPheeters asked to go back to the Garry Oak prairie/Evergreen forest and commented about the prairie not absorbing as much as the evergreen forest. Mr. Gluth explained the DOE guidelines was to return hydrology to pre-European settlement. This creates a balance between infrastructure costs and the amount of rainfall we're tasked to deal with. This information is in the DOE manual. There were no questions/comments regarding Chapter 4: Water Quality or Chapter 5: Operation and Maintenance. Regarding Chapter 6: Near-term Capital Improvement Plan list, the CIP PowerPoint gives more detail than the PDF given to the Commission. Mr. Gluth went over the CIP projects. Commissioner Hovey asked if these CIP projects were discussed at the Council retreat. Mrs. Rosen indicated they were not discussed at the Council budget retreat but would be during the budget process (discussion of the 2021-2022 budget). City Administrator Oborn also stated that Council will be looking at the CIP list during the utility rate discussion. Commissioner Malmkar asked which CIP would be most beneficial. Mrs. Rosen indicated we had inflow/infiltration into the sewer collection system – side sewers in the older part of town - although these projects won't affect the flood incident we just had. The stormwater and sanitary sewer systems are separate. Mrs. Rosen showed the full CIP list (20 year list) although the focus is on the 6 year CIP for funding. There will be discussion about the latest incident at the February 26, 2020 workshop. Commissioner Philipp asked about the M6 pipe/digging at the WWTP park area. Mr. Gluth indicated there would be minimal impact. Commissioner McPheeters went back to Chapter 6: CIP list and asked about the DOE requirements and projects for 2027 and later. He wanted to know whether the City would be doing these projects anyways. Mr. Gluth indicated yes to the Freund Marsh Retrofit Feasibility Study, 7<sup>th</sup> Avenue Wetland BMP Study and Pasek Vault. The City picks the best, most beneficial projects for our community and that's how the CIP list is generated. Regarding Chapter 7: Financial Analysis, Mrs. Rosen explained the HDR utility rate analysis, the 6 year CIP, etc. She stated that Council is still considering the rate increases - Increase 4% for years 2020-2022 and 2% for years 2023-2024. Commissioner Malmkar asked about the miscellaneous revenue. Mrs. Rosen stated that is possibly permit fees, interfund changes – pretty small – not our rate revenue. A schedule will be presented at the February 26, 2020 Council workshop and then for approval at the March 3<sup>rd</sup> or March 17<sup>th</sup> City Council meeting. Vice Chair Freeman asked whether the City would complete items from the past or push off because of cost factors. Mrs. Rosen stated there was nothing to push off because of cost factors. There was a lot of focus on the WWTP and now that it's done we can focus on the current list. Commissioner Hovey asked about the stormwater user charge. Mrs. Rosen indicated that utilities need to be self-sufficient, utility money can't transfer but general fund money can contribute to any other fund.

### Public Comment

Public Comment period was opened up at 7:15 pm. **John Allen** spoke regarding public art getting funding from utility tax yet we're asking for utility rate increase. Why is money allocated for things that are not a need? Why are tax dollars being spent on \$110,000 leaf sculpture? Mr. Allen recommends the Commission check on this before a rate increase is imposed. Commissioner McPheeters stated that 1% goes towards the arts. A brief discussion was held regarding this allocation and it was noted that a similar question came up to Council a few years ago and they voted "yes" to continue with the money going towards the arts. Mrs. Rosen indicated that a percentage of CIP cost (now .25%) utility tax on three of our utilities, not stormwater. We have a general 6% utility tax on all utilities in the City which includes power,

gas, Comcast, cell phones, water, sewer, solid waste and storm drain. Commissioner McPheeters asked if this was mandated by the State or is the City just choosing to do this? Mrs. Rosen stated this is a question for the City Administrator Oborn or our City Attorney to answer. City Administrator Oborn stated that maybe we could cut this back – an option for Council to consider. **Jim Forbes** lives on Airline Way/Crosby Ave. He spoke about the water backup and stormwater that comes down from City. The County appropriated \$73,000 two years ago to get out obstructions by the drain ditch. Two neighbors objected so this wasn't done which is impacting his property. The County has a 10 foot easement on each side of the ditch. He indicated he doesn't have the time or money to fight the City/County on this. **Trevor Thorpe** (Superintendent of the Whidbey Golf Club) spoke. He indicated Jim Forbes is speaking of a different golf course. He discussed the rain fall in January/February and inches of rain they received. He suggested they redo the culvert onto Ft. Nugent Lane. He indicated the tide gates at Swantown Lake are not working/drainage like they should which floods the golf course. He stated he believes the Army Corp of Engineers is responsible for the flood gates. **Kristi Jensen** commented that the City is allowing West Meadows to drain onto Forbes' property and the County isn't maintaining its ditches, etc. She indicated the City and County need to work to do their part to get the water out. **John Allen** spoke again and agreed with Kristi's comments. He stated the City and County are blaming each other for the problem. Need to place emphasis on responsibilities in this new plan. He indicated OHMC 2.29.120 and 3.71.060 addressed the art fund issue from earlier. An **unidentified female** (possibly Mrs. Forbes) had a letter, list of studies done, a map, conservation study and pictures. She read her letter to the Commission. She indicated the stormwater runs onto county properties. She spoke about the Airline Way culvert/ditch issue and indicated the ditch needs to be deepened on Crosby. She wants to give Planning Commission the study. Vice Chair Freeman asked for her name and documents and she said she'd bring the City copies, but did not provide her name. Vice Chair Freeman closed the public hearing but then reopened it as another person wanted to speak. **Anne (Panda) Brett** said she's lived 39 years at her property near Crosby/Heller. She stated Meadow Ridge detention pond is a problem and it is running down to her property. She questioned the Redwing detention pond and discussed permits given to Bill Massey. She asked the Planning Commission to think about future permitting and developments. She stated West Meadows water came across from the Forbes and she spoke to the area on top of Airline Way where the owners cleared the property but it has not been annexed. Vice Chair Freeman stated that all development does not go to Planning Commission or Council, it goes to the Hearing Examiner. The Planning Commission is questioning the same thing about where the water is going. Commissioner McPheeters asked if the ditch was unplugged would it solve the problem? **John Allen** stated the ditch needs a complete overhaul, discussed urban growth, excessive water and whose responsibility is it? **Kristi Jensen** stated that the County has easements to all the properties to clean the ditches but the County has it low on their list. The public hearing was closed at 7:49 pm.

Mr. Lefevre thanked the public for their comments and stated that "2019" needs to be changed to "2020" on the recommended motion language.

**Motion:** Commissioner Hovey moved to recommend that the City Council adopt the 2020 Stormwater Comprehensive Plan as presented.

**Second:** Commissioner McPheeters seconded the motion. With all in favor, the motion carried unanimously.

**B. CENTRAL BUSINESS DISTRICT CODE REVIEW – Public Meeting.** Staff will make a presentation on current and proposed land uses permitted within the CBD zone district in response to a request by the Oak Harbor Main Street Association. This area is also the subject of a pending moratorium on new development applications for mixed-uses. Potential changes and future needs will be discussed. This presentation is a continuation of the one from the December 10, 2019 meeting.

Staff Comment

Ray Lindenburg, Associate Planner, presented. Oak Harbor Main Street Association (OHMSA) has recommended that the City make changes to the code. The moratorium has been extended to August 28, 2020 and the City's goal is to be done with code amendments by then. The project schedule – February/March to do public survey and open house. In April, draft ordinance to introduce to Planning Commission. In May, draft ordinance to be presented to Planning Commission for recommendation to City Council. In June, present draft ordinance to City Council and then adopt the ordinance in July. Three items to focus on: Commercial uses allowed in the district (62 uses now – reduce to categories), mixed use and definitions/standards, and residential uses in district. There will be two publicity pushes through Facebook and TV (Channel 10) along with the utility bill. The City wants to know how often people visit old town and what their purpose is.

Commissioner Comment

Commissioner Hovey asked City Administrator Oborn about the Public Information Officer (PIO) position. City Administrator Oborn indicated the PIO position begins March 16<sup>th</sup>. The website/internet will be a priority but will integrate into the survey. Commissioner Hovey would like to see the PIO brought in ASAP to nail this questionnaire/survey. It was noted that utility bill stuffers don't go to most apartments, condos, etc., so we need to get information out there by some other means. Commissioner Hovey questioned whether the survey would capture demographics. Mr. Lindenburg said it will be brought up in the survey and maybe non-Oak Harbor residents could get directed to another part of the questionnaire vs. residents.

Public Comment

There was no public comment.

**C. 2019 PLANNING COMMISSION ANNUAL REPORT TO CITY COUNCIL – Public Meeting.**

The Planning Commission will review the draft annual report to the City Council. The annual report is a summary of Planning Commission's accomplishments in 2019 and proposed work program for 2020. The Planning Commission will be asked to forward the report to the City Council.

Staff Comment

Mr. Kamak indicated there was no presentation but he was available if anyone had questions. Mr. Kamak stated that Commissioner McPheeter's comment from the January meeting was added on page 8 of this annual report. If the Commission is in sync with the comments, Mr. Kamak recommended the Commission move to forward the Planning Commission Annual Report to Council.

### Commissioner Comment

Commissioner Hovey asked if we could provide an option for deleting the requirement about using tidelands. Mr. Kamak said it supports density. The bluff area is a different designation of the Shoreline Master Plan – something to think about. We need to preserve density moving forward. Commissioner Hovey commented "Why pretend you can build on tidelands when you can't". Commissioner McPheeters stated he built the recommendation tailored to bluff conservancy in the Shoreline Master Plan and has no objections to extending to other parts of tidelands. Commissioner Hovey stated there's no amendment necessary. Mr. Kamak informed the Planning Commission that "critical areas" are covered in the code.

### Public Comment

There was no public comment.

**Motion:** Commissioner McPheeters moved to forward the 2019 Planning Commission Annual Report to the City Council.

**Second:** Commissioner Hovey seconded the motion. With all in favor, the motion carried unanimously.

### **General Comments:**

City Administrator Oborn recognized and thanked Commissioner McPheeters for his service on the Planning Commission and wished him well. Commissioner McPheeters thanked everyone and encouraged those watching or in the audience to volunteer.

5. The next regular business meeting is March 24, 2020.

The meeting adjourned at 8:13 pm.

Respectfully submitted,

*Kim Perrine*

Kim Perrine, Sr. Legal Administrative Assistant

Planning Commission

# Public Meeting

Central Business District Zoning  
Code Review

June 23, 2020

# City of Oak Harbor Planning Commission Report

Date: June 23, 2020  
Subject: Central Business District- Zoning  
Code Review

**FROM:** Ray Lindenburg, AICP, Associate Planner, Development Services Department

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## **PURPOSE**

The Oak Harbor Main Street Association developed draft design guidelines that included significant discussion of uses and other zoning ordinance-related topics. Subsequently, a moratorium on development within the Central Business District was passed by the City Council based on recent community discussion regarding the uses that are allowed in that area. The moratorium has been extended until August 2020. Staff has determined that due to COVID-19 related delay, the previously reviewed work plan will need to be adjusted and another extension to the moratorium adopted. The following is an outline of the process:

- Introduction of topic to Planning Commission and City Council
- Online survey to introduce topic and solicit comments and ideas from the public and stakeholders.
- Prepare information received and make presentation to the Planning Commission for discussion.
- Public outreach
- Draft ordinance presentation to the Planning Commission for recommendation to City Council.
- Presentation and discussion of draft ordinance with City Council.
- Adoption of new ordinance.

## **BACKGROUND**

Staff's initial review of the ordinance is focused on the following core issues:

- The commercial uses allowed within the Central Business District
- Mixed-use and its definition and standards
- Residential uses within the district
- Balancing activities in the district across times and days

As part of the process of reviewing and potentially revising the Central Business District (CBD) section of the Oak Harbor Municipal Code, staff prepared an online survey intended to provide information on the overall view of the area from citizens and stakeholders. The survey was publicized and opened in the days before the COVID-19-related shutdown of city hall and other restrictions. Despite this, staff received a large number of responses to the survey and will discuss the responses from the information gathered.

The survey is one step in the public outreach process and the possibility of a virtual open house and other presentations are being considered to further outreach options. Staff will be continuing research into potential changes to the code and provide further information to the Council as needed.

As noted, the existing moratorium on development within the CBD zone district will need to be extended due to the COVID-19 restrictions. Staff will present the moratorium extension to the City Council in August for consideration, utilizing the required process and providing a revised work plan.

**RECOMMENDED ACTION**

This is an informational presentation. No action is required.

**ATTACHMENTS**

None

Planning Commission

# Public Meeting

Housing Action Plan Update

June 23, 2020

# City of Oak Harbor Planning Commission Report

Date: June 23, 2020  
Subject: Housing Action Plan Update

**FROM:** Dennis Lefevre, AICP, Senior Planner, Development Services Department

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## **PURPOSE**

The purpose is to brief the Planning Commission on the progress of the Housing Action Plan (HAP).

## **BACKGROUND / SUMMARY INFORMATION**

The City received an \$80,000 grant from the WA Department of Commerce. These funds, authorized through E2SHB 1923, must be utilized to increase our residential building capacity. E2SHB 1923 identifies several action options these funds could address, including the development of a HAP. The goal of this HAP is to encourage construction of additional affordable and market rate housing in a greater variety of housing types and at prices that are accessible to a greater variety of incomes.

In April, the City Council authorized a professional service agreement with LDC, Inc (Woodinville, WA) to assist in the preparation of our HAP. Initial steps have been completed which include:

- HAP Project Charter (Attachment 1);
- HAP Public Involvement Plan (Attachment 2);
- HAP schedule (Attachment 3).

A webpage presence will be heavily utilized throughout this project to ensure the interested public has access to all data/documents produced. Next steps include the data collection task for the housing needs assessment. This assessment should be available for review in mid-August and will be on the Planning Commission August or September agenda.

A stakeholders group will also be formed with a Planning Commission seat available. Staff will ask for a PC volunteer to sit on this group.

## **RECOMMENDED ACTION**

No action is being requested at this meeting.

## **ATTACHMENTS**

1. City of Oak Harbor HAP Project Charter.
2. City of Oak Harbor HAP Public Involvement Plan.
3. City of Oak Harbor HAP schedule.

# Housing Action Plan Update

*Attachment 1:*

*City of Oak Harbor HAP Project Charter*

June 23, 2020

**DRAFT**

**CITY OF OAK HARBOR HOUSING ACTION PLAN  
PROJECT CHARTER**



**June 1, 2020**



# **CITY OF OAK HARBOR HOUSING ACTION PLAN PROJECT CHARTER**

## **Purpose**

The purpose of a Project Charter is:

- ✓ To provide an understanding of the project, the reason the project is being conducted, its justification, and to provide guidance for completion;
- ✓ To establish the general scope of work and project schedule;
- ✓ To establish communication protocols; and,
- ✓ To identify potential risks and strategies to address those risks.

## **Project Background**

The Washington State Department of Commerce ("Commerce") received \$5 million in the 2019 Legislative Session to provide grant funds to local governments for activities to increase residential building capacity, streamline development, or develop a Housing Action Plan (HAP).

The City of Oak Harbor has chosen to develop a HAP that will focus on encouraging construction of a greater variety of additional affordable and market rate housing types that are accessible to a variety of incomes. Specifically, the HAP project will:

- ✓ Quantify existing and projected housing needs for all income levels
- ✓ Develop strategies to increase the supply of housing needed by those income levels
- ✓ Analyze population and employment trends
- ✓ Consider strategies to minimize displacement of low-income residents resulting from redevelopment
- ✓ Review and evaluate the Comprehensive Plan Housing Element
- ✓ Provide for participation and input from a variety of stakeholders
- ✓ Include a schedule of programs and actions for implementation of the HAP

The Commerce deadline for adoption of the HAP is June 30, 2021. However, it is expected the Oak Harbor City Council will adopt the HAP by May 31, 2021.

## **Project Goals and Objectives**

As noted in the Oak Harbor's Comprehensive Plan, almost half of the City's homeowner and renter households are classified as cost-burdened by rising housing costs, meaning they pay more than 30 percent of their income toward their housing. In an effort to address this issue, to encourage the preservation of existing affordable housing, and to help promote development of new housing, the City is developing a HAP to gain a better understanding of housing issues and challenges the City faces.

## Goals

- ✓ Assess the housing needs of Oak Harbor
- ✓ Through a comprehensive public engagement process, develop a strategy addressing housing needs for the citizens of Oak Harbor
- ✓ Prepare a HAP that is consistent with the housing element of the City's Comprehensive Plan and addresses goals and policies

## Objectives

- ✓ Develop strategies and recommendations to increase the supply and types of housing needed in Oak Harbor
- ✓ Develop zoning, regulatory, and incentive strategies to support housing that meets the needs of Oak Harbor
- ✓ Evaluate and refine existing housing policies and actions
- ✓ Develop recommendations for improvement based on housing needs assessment data
- ✓ Identify a schedule of programs/actions to implement the recommendations of the HAP
- ✓ Create a collaborative process that is inclusive and focused on housing solutions

## Project Team Members

### City of Oak Harbor

|                |  |                    |
|----------------|--|--------------------|
| Cac Kamak      | Interim Development Services<br>Director | City of Oak Harbor |
| Dennis Lefevre | Senior Planner (Project Manager)         | City of Oak Harbor |
| Ray Lindenburg | Associate Planner                        | City of Oak Harbor |

### LDC (consulting team)

|                |                  |           |
|----------------|------------------|-----------|
| Todd Hall      | Planning Manager | LDC, Inc. |
| Matt Covert    | Planner          | LDC, Inc. |
| Isaac Anzlovar | Permit Tech      | LDC, Inc. |
| Samantha Adams | Permit Tech      | LDC, Inc. |

Dennis Lefevre, Senior Planner, City of Oak Harbor, is the project manager and responsible for day to day management of the project. LDC, Inc., is the contracted consulting team assisting the City of Oak Harbor during the project.

The project team will communicate bi-weekly to provide guidance and updates during the course of the project to discuss project tasks, project status and to ensure the project schedules stay on course and deliverable due dates are met. Schedule and scope adjustments may occur on an as-needed basis. Notes of informal meetings will be emailed at the conclusion of meetings. Minutes will only be taken for any formal project meetings.

## Public Participation / Project Webpage

A major component of this project is to allow for public participation and opportunities for engagement. The City and consulting team will provide for both online and in-person engagement opportunities throughout the project timeline. Any meetings associated to the project will be posted on the website in a conspicuous location.

In addition, a project webpage (landing page) will be hosted on the City’s website. This website will be frequently updated with general project information, project timelines, meeting dates/times, and an opportunity to directly comment on project documents that are uploaded to the site during the course of the project.

## External Communications Protocols

Dennis Lefevre, Senior Planner, City of Oak Harbor, is the project manager. Any external communications (i.e. project stakeholders, public, media, etc.) will be routed through Mr. Lefevre. No external communication is to be routed to the consulting team.

LDC/City will mutually manage meeting scheduling, format, and arrangements. For formal meetings, the City and consulting team will provide agendas and any presentation materials necessary for the meetings. Meeting minutes will only be taken for formal meetings.

## Estimated Project Schedule

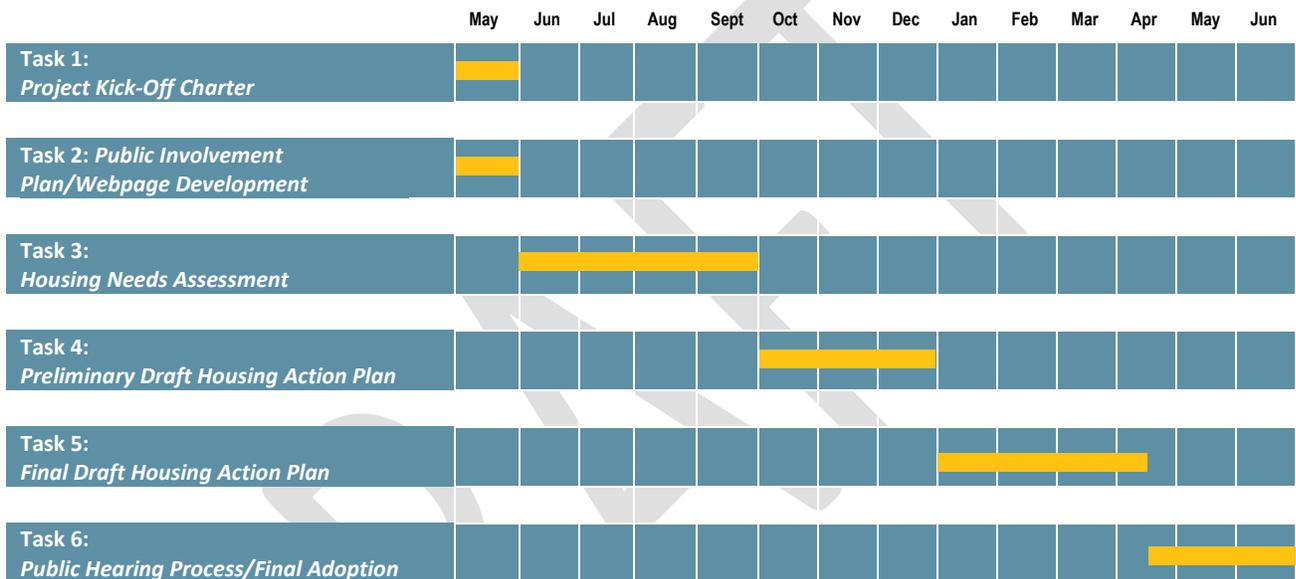
The following is a general project schedule, which is subject to change. Refer to Appendix A - Scope of Work for a more detailed list of project tasks.

| Task  | Dates                         |
|---|-------------------------------|
| Task 1: Project Kick-Off/Charter                    | April 22 – May 31, 2020       |
| Task 2: Public Involvement Plan/Webpage Development | May 1 – May 31, 2020          |
| Task 3: Housing Needs Assessment                    | June 1 – September 30, 2020   |
| Task 4: Preliminary Draft Housing Action Plan       | October 1 – December 31, 2020 |
| Task 5: Final Draft Housing Action Plan             | January 1 – April 15, 2021    |
| Task 6: Public Hearing Process/Final Adoption       | April 15 – May 31, 2021       |

## Project Deliverables

|               |   |
|---------------|---|
| <b>Task 1</b> | <ul style="list-style-type: none"> <li>Project Charter distributed to project team (LDC)</li> <li>Project schedule (LDC)</li> <li>Establish website landing page (LDC)</li> </ul>   |
| <b>Task 2</b> | <ul style="list-style-type: none"> <li>Public Involvement Plan (LDC)</li> <li>Develop SAC Membership, SAC engagement invitation and send to key stakeholders &amp; public (City/LDC)</li> <li>Lead facilitation with Planning Commission and City Council (City)</li> </ul> |

|               |   |
|---------------|---|
| <b>Task 3</b> | <ul style="list-style-type: none"> <li>• Housing Needs Assessment (LDC)</li> <li>• Review/comment by City (City)</li> <li>• Revise document, if necessary (LDC)</li> </ul>  |
| <b>Task 4</b> | <ul style="list-style-type: none"> <li>• Preliminary Draft Housing Action Plan (LDC/City)</li> <li>• Support staff with Preliminary Draft Plan (LDC)</li> </ul>   |
| <b>Task 5</b> | <ul style="list-style-type: none"> <li>• Final Draft Housing Action Plan (LDC/City)</li> <li>• Support staff with Final Draft Plan (LDC)</li> <li>• Public notification/mailings (City) (LDC assist w/ project page)</li> <li>• Support staff at hearing, if requested (LDC)</li> </ul> |
| <b>Task 6</b> | <ul style="list-style-type: none"> <li>• Present Final Housing Action Plan to City Council (City)</li> <li>• Public notification/ mailing (City) (LDC assist w/ project page)</li> </ul>  |



## Assumptions and Constraints

**Assumptions** - Involved staff and stakeholder groups will have time to devote to the project in the schedule identified in this Charter. Public engagement will be available online and in-person (when practical). The project budget will be sufficient to complete the project.

**Constraints** - Limited staff resources. The city has identified the senior planner as the only staffing resource dedicated for this project. At the time of writing of this Charter, there are no other expected constraints for the project.

## Expectations and Keys to Success

The following factors will be necessary to ensure project success:

- Build trust with project stakeholders and the community at-large
- Establish common goals among the project team and stakeholders
- Provide clear, concise, and consistent messaging

- Provide documents that are easy to understand by the general public
- Encourage participation from all populations, including elderly and under-represented population
- Ensure a higher awareness and understanding of housing needs and issues

## Project Risks and Mitigation

The following is a list of potential risks that have been identified for this project:

1. Lack of understanding of the project – A housing needs assessment and housing action plan are needed to identify both short- and long-term housing needs within the City of Oak Harbor. The overall process and methods of identifying these needs may not be understandable to the general public. The project team should collectively work together to ensure that messaging is clear, understandable and accurately represents the issues raised by project stakeholders and participants.
2. Public engagement methods – Due to the recent COVID-19 pandemic, State and Federal government have placed restrictions on public gatherings, severely impacting opportunities for traditional public engagement methods. Even after the pandemic passes, there may be a greater fear of meeting in-person for quite some time. This has a significant effect on those who prefer to engage face-to-face vs. online, either by choice or because of a lack of online resources (Internet). The project team will need to assess current conditions at the time of each phase of the project, adjust participation methods and ensure that whatever the current health directives and social distancing protocols are in place, that the public is engaged to the best extent possible.
3. Limited staffing and duration of grant window – As noted above, the city has one assigned planner to this project. Depending on the Planning Department's work program, the City's project manager may be assigned to other projects as needed. This may have an impact on meeting project deliverables and deadlines as noted in the Commerce grant award and schedule. In order to ensure the project stays on track and the housing action plan is adopted by the June 30, 2021 deadline as mandated by Commerce, the city will need to ensure continuous staff resources throughout the life of the project.
4. Housing Action Plan through Legislative Process – During the budget/holiday season (October – early January), City Council agendas are typically busy with review and approval of the budget, and due to limited available meetings there may be a delay in review of the draft Housing Action Plan. In order to ensure the project stays on schedule, the project team should inform the Council that due to the grant deadlines for the project, every effort should be made to accommodate project review during the budget season.

## Appendix A – Scope of Work

### PHASE 1: LEARN

#### ACTION 1.1: INITIAL CITY VISIT/LEADERSHIP/PROJECT MANAGEMENT

STEP 1.1.1 Meet with appropriate City staff. Discuss existing housing conditions, community values/needs/issues and goals and expectations of Housing Action Plan. Discuss schedule, deliverables, communication protocols, public outreach methods/opportunities.

#### ACTION 1.2: PUBLIC INVOLVEMENT PLAN (PIP)/ESTABLISH WEBSITE – STORY MAP

STEP 1.2.1 Establish stakeholder advisory committee (SAC).

STEP 1.2.2 Identify and involve local and regional developers with interest in developing low- to moderate-income housing.

STEP 1.2.3 Develop PIP outlining: schedule, approaches, methods, goals, activities, stakeholders, team responsibilities, identification of venues & translation needs.

#### Deliverables/Assumptions:

- Kick-off Meeting
- City Housing Tour
- SAC Membership/Charter
- PIP/Schedule
- Project Website – Story Map

### PHASE 2: EXPLORE

#### ACTION 2.1: HOUSING NEEDS ASSESSMENT

STEP 2.1.1 Quantify existing and projected housing needs for all income levels, including extremely low-income households/documentation of housing and household characteristics/cost burdened households (Housing Gap Analysis).

2.1.1.1 Document type and age of housing.

2.1.1.2 Identify how many households in each income segment are paying more than 30% of income for housing.

2.1.1.3 Identify housing and household characteristics.

2.1.1.4 Identify various levels of cost burdened households.

2.1.1.5 Project housing needs based on anticipated population forecast/all income levels.

2.1.1.6 Analyze population trends/forecasts.

2.1.1.7 Develop plan for maintaining existing housing stock within the City.

STEP 2.1.2 Review and evaluate effectiveness of current code provisions related to housing (Land Use Code Audit).

STEP 2.1.3 Identify barriers to accessing and production of housing.

STEP 2.1.4 Consider strategies to minimize displacement of low-income residents resulting from redevelopment.

STEP 2.1.5 Review Housing Needs Assessment with SAC.

Deliverables/Assumptions:

- Complete draft Housing Needs Assessment to review with SAC and Planning Commission.
- GIS maps/visuals supporting Housing Needs Assessment, identifying housing needs within City (neighborhoods).

### **PHASE 3: PRELIMINARY STRATEGIES**

ACTION 3.1: DEVELOP INCENTIVES, STRATEGIES AND PROGRAMS INCREASING THE SUPPLY/VARIETY OF HOUSING TYPES IDENTIFIED IN THE HOUSING NEEDS ASSESSMENT

STEP 3.1.1 Identify housing types that are recommended and allowed by zoning.

STEP 3.1.2 Identify the types and densities of housing needed based on demographic and economic segments.

STEP 3.1.3 Identify incentives and regulations to encourage a variety of housing types.

STEP 3.1.4 Review trade-offs in various code requirements as they affect the yield of housing development (i.e. parking requirements, setbacks, and open space).

STEP 3.1.5 Evaluate the Housing Element to determine the effectiveness of development regulations in implementing these policies, whether short/long-term, fiscal impacts.

STEP 3.1.6 Develop financial analysis based on the identified incentives.

STEP 3.1.7 Review with SAC.

Deliverables/Assumptions:

- Complete list of incentives and financial analysis.
- Coordination with staff during strategy development.

### **PHASE 4: DRAFT HOUSING ACTION PLAN**

ACTION 4.1: PRELIMINARY DRAFT HOUSING ACTION PLAN

STEP 4.1.1 Development of draft Housing Action Plan.

STEP 4.1.2 Provide draft to staff/leadership/public for comment and review

4.1.2.1 Implement PIP, as developed in ACTION 1.2.

STEP 4.1.3 Identify schedule of programs and actions to implement the recommendations of the Housing Action Plan.

Deliverables/Assumptions:

- Draft plan for staff/leadership/public review.
- In collaboration with City, provide updated project information to website/storymap.
- LDC to coordinate with staff for public noticing.

## **PHASE 5: FINAL REVIEW & ADOPTION**

### ACTION 5.1: FINAL HOUSING ACTION PLAN

STEP 5.1.1 Refine and finalize documents based on staff/public/SAC comments.

STEP 5.1.2 Additional review/comment by PC/CC at public hearings.

#### Deliverables/Assumptions:

- Provide clean final copy of Housing Action Plan and supporting documents.
- Final website update with complete document.

DRAFT

# Housing Action Plan Update

*Attachment 2:*

*City of Oak Harbor HAP Public  
Involvement Plan*

June 23, 2020

DRAFT

COVER PAGE

DRAFT

**Front Page Photo Credits (Top Right to Bottom)**

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3. Wikimedia Commons.com
4. Piquesels.com

# **CITY OF OAK HARBOR HOUSING ACTION PLAN**

## **PUBLIC INVOLVEMENT PLAN**

### **Goal**

The goal of the Public Involvement Plan (PIP) for the Housing Action Plan (HAP) is to achieve valuable public involvement and input during the project. The PIP acts as a guide to:

- ✓ Engage and obtain input from the public, key stakeholders, and various community groups and organizations in Oak Harbor and the surrounding community
- ✓ Convey project information in a clear and meaningful way
- ✓ Provide a transparent and open decision-making process

### **Project Overview**

Washington State Engrossed 2nd Substitute House Bill 1923 (ES2HB 1923) granted the Washington State Department of Commerce ("Commerce") \$5 million in the 2019 Legislative Session to provide grant funds to local governments for activities to increase residential building capacity, streamline development, or develop a Housing Action Plan. The City of Oak Harbor received an \$80,000 grant from Commerce to complete a HAP, the goal of which will be to assess current and future housing needs and offer strategies and recommendation for policy or development regulations that will allow for a variety of housing types with varying income ranges.

Per RCW 36.70A.600(2), the scope of work for a housing action plan is:

The goal of any such housing plan must be to encourage construction of additional affordable and market rate housing in a greater variety of housing types and at prices that are accessible to a greater variety of incomes, including strategies aimed at the for-profit single-family home market. A housing action plan may utilize data compiled pursuant to RCW [36.70A.610](#). The housing action plan should:

- (a) Quantify existing and projected housing needs for all income levels, including extremely low-income households, with documentation of housing and household characteristics, and cost-burdened households;
- (b) Develop strategies to increase the supply of housing, and variety of housing types, needed to serve the housing needs identified in (a) of this subsection;
- (c) Analyze population and employment trends, with documentation of projections;
- (d) Consider strategies to minimize displacement of low-income residents resulting from redevelopment;
- (e) Review and evaluate the current housing element adopted pursuant to RCW [36.70A.070](#), including an evaluation of success in attaining planned housing types and units, achievement of goals and policies, and implementation of the schedule of programs and actions;
- (f) Provide for participation and input from community members, community groups, local builders, local realtors, nonprofit housing advocates, and local religious groups; and

(g) Include a schedule of programs and actions to implement the recommendations of the housing action plan.

The City of Oak Harbor has chosen to develop a HAP that will focus on encouraging construction of a greater variety of additional affordable and market rate housing types that are accessible to a variety of incomes. Specifically, the HAP project will:

- ✓ Quantify existing and projected housing needs for all income levels
- ✓ Develop strategies to increase the supply of housing needed by those income levels
- ✓ Analyze population and employment trends
- ✓ Consider strategies to minimize displacement of low-income residents resulting from redevelopment
- ✓ Review and evaluate the Comprehensive Plan Housing Element
- ✓ Provide for participation and input from a variety of stakeholders
- ✓ Include a schedule of programs and actions for implementation of the HAP

### Housing Action Plan Process

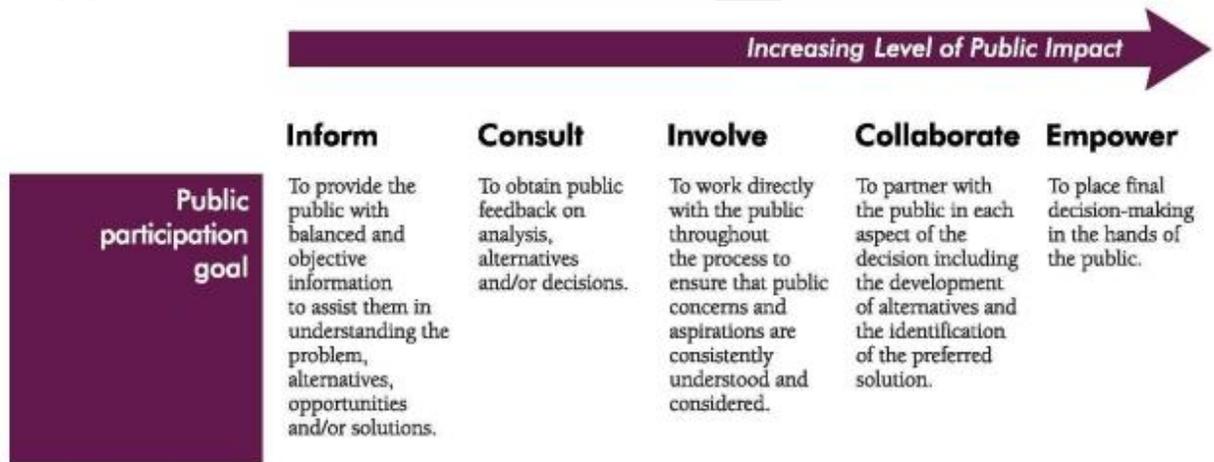
Below is a graphical representation of the process for the HAP project. A detailed scope of work is provided in Appendix B.



## Public Involvement

Since the development of the HAP will require public input, and to ensure residents and stakeholders are given opportunity to remain engaged during the development of the HAP, the City has created this PIP that identifies effective strategies and various methods for public engagement. The overarching goal of the PIP is to provide a guide to proactively encourage public participation during the Housing Action Plan project.

Below is a graphic from the International Association of Public Participation (IAP2)'s spectrum of public participation, which shows varying levels of engagement based on the level of public impact. Because the level of public impact of the HAP is high, the public and stakeholders will be engaged at the "inform," "consult," "involve," and "collaborate" levels.



*IAP2 Spectrum of Public Participation (source: [www.iap2.org](http://www.iap2.org))*

## Project Team Roles

### Development Services - City of Oak Harbor

The City of Oak Harbor Development Services Department will be the primary Project Manager for this HAP project. City staff will be responsible for the overall management and distribution of public information regarding the public involvement process. In addition, City staff will also:

- Coordinate with all applicable agencies, including Department of Commerce, who play a role or have direct interest in the development of the HAP
- In partnership with consulting team (LDC), provide frequent updates, as needed, on the City's website and project landing page
- In partnership with consulting team (LDC), develop a stakeholder advisor committee (SAC) made of key community and business stakeholders who have interest in the HAP
- Inform decisionmakers about HAP project requirements
- Inform Planning Commission, City Council, SAC and all interested parties of all key project milestones and deliverables
- Document and keep all public records pertaining to the HAP project

## **Primary Project Contacts**

### **City of Oak Harbor**

Dennis Lefevre

Senior Planner

[dlefevre@oakharbor.org](mailto:dlefevre@oakharbor.org)

360-279-4513

Dennis Lefevre, Senior Planner, City of Oak Harbor, is the Project Manager and responsible for day to day management of the project. LDC, Inc., is the contracted consulting team assisting the City of Oak Harbor during the project. All communications shall be directed to Mr. Lefevre.

## **Planning Commission / City Council - City of Oak Harbor**

City staff, with assistance by LDC, Inc. will present information and key policy decisions to the Planning Commission and City Council at specific milestones during the HAP project. The Planning Commission will review proposed housing policy recommendations and will provide feedback to City Staff. Staff will then present draft documents, including the Housing Needs Assessment (HNA) and HAP, to the Planning Commission, and then they will forward their recommendation to City Council for their review and consideration. City Council will be periodically updated during the course of the project, with the final documents being presented for their consideration and ultimately final adoption.

## **Stakeholder Advisory Committee (SAC)**

The City's HAP Stakeholder Advisory Committee (SAC) will be a group composed of no more than      members who have been identified by the project team as individuals, organizations and interest groups who represent diverse viewpoints of community stakeholders on housing issues in Oak Harbor. The SAC will work in conjunction with the HAP project team to provide feedback and guidance, including:

- Identifying existing challenges and barriers to providing affordable mix of housing types
- Assisting project team in considering various housing issues, various approaches to addressing housing needs and potential policy recommendations
- Review and provide comments on both the draft HNA and HAP

## **Public Involvement Strategy**

A major component of this project is to allow for public participation and opportunities for engagement. The City and consulting team will provide for both online and in-person engagement opportunities throughout the project timeline. Any meetings associated to the project will be posted on the website in a conspicuous location.

### **A. Interested Groups and Citizens**

The City will make every effort to fully engage and encourage involvement of all stakeholders, whether public or private, local tribes, Federal agencies, State agencies, housing and community service providers, and other local governments. A list of anticipated stakeholders is provided below, while a full stakeholder contact list is provided in Attachment A – Stakeholder Contact List.

#### **City of Oak Harbor Decisionmakers/Advisory Bodies**

- City Council
- Planning Commission
- HAP Stakeholder Advisory Committee

#### **City of Oak Harbor Staff**

- City Administration
- Development Services
- City Attorney

#### **State & Federal**

- Washington State Department of Commerce
- Naval Air Station – Whidbey Island

#### **Tribes**

- Samish Indian Nation
- Swinomish Indian Tribal Community
- Lummi Nation
- Stillaguamish
- Tulalip Tribes
- Upper Skagit

#### **Other Local Government**

- Island County Planning & Community Development
- Oak Harbor Public Schools

#### **Business Stakeholders**

- Oak Harbor Chamber of Commerce
- Economic Development Council for Island County

## **Housing & Community Service Providers**

- Island County Human Services
- Senior Services of Island County
- Island County Housing Support Authority
- Habitat for Humanity of Island County
- United Way of Island County
- Opportunity Council

## **B. Stakeholder Advisory Committee**

As noted above, the SAC is made up of key individuals who represent various organization and groups who have a vested interest in housing needs and availability. The SAC will “meet” either in-person or web-conference at periodic intervals throughout the HAP project. It is expected, at a minimum, that the SAC will hold at least 3 meetings:

1. Kick-off meeting – project discussion, goals/objectives, issues/challenges
2. Draft Housing Needs Assessment (HNA) – Review and comment on findings and data
3. Draft Housing Action Plan – Review and comment on policy recommendations

## **C. Public Outreach Approach**

The City of Oak Harbor will provide public outreach methods that ensures the general public and key stakeholders are provided various opportunities to participate and are regularly informed about the project status.

### **Public Meetings**

- Stakeholder Advisory Committee meetings will be held, either in-person (location TBD) or via online
- Planning Commission meetings/hearings will be held at City Hall
- City Council meetings/hearings will be held at City Hall
- Other in-person public engagement events may be held at other local events at City’s discretion

### **Online Media**

- Project Webpage – A project website (landing page) will be added to the City’s website where citizens and interest groups can review draft documents and provide comments, view schedule information, check for meeting notices, and obtain general project information. The project landing page, [www.oakharborwaHAP.konveio.com](http://www.oakharborwaHAP.konveio.com) will be the primary website for the most up-to-date project information.
- Facebook – General information, including meeting dates and key dates will be published on the City’s Facebook page, including a link to the project landing page (see link above).
- YouTube – The public may watch Planning Commission, City Council and any other recorded meetings to obtain information about the project as they are available.

## **Mailing List**

A stakeholder email list will be maintained by the City. The list will be used to notify stakeholders about key dates and general progress regarding the project. They will also be informed of various engagement methods and opportunities as they arise.

## **Surveys**

Throughout the project, the project team may administer surveys to gather information and data regarding specific topics. Surveys will be found on the project landing page during various stages. The public will be informed as to when the surveys are available.

## **Media**

The City's official newspaper (Whidbey News-Times) will be regularly informed about the HAP project and receive copies of all official notices. Notices will be sent to local news media to announce public engagement opportunities, key project dates and any general project information.

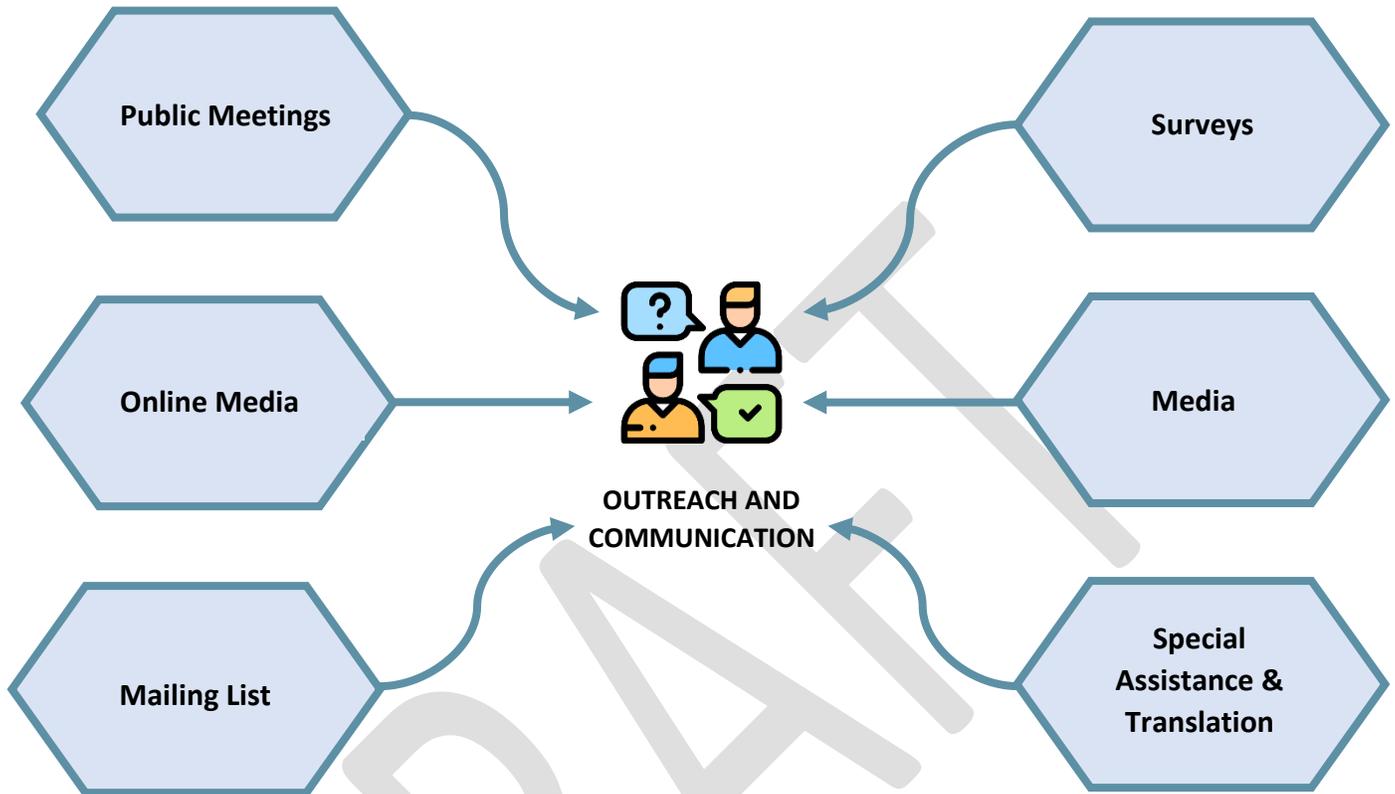
## **Other Posting Sites**

Notices of public meetings, events and other key dates will be posted at all City official noticing locations, including Oak Harbor City Hall, Oak Harbor Library, Oak Harbor Public Works Department and Oak Harbor Chamber of Commerce. Notices may also be posted at other locations at the City's discretion.

## **Special Assistance/Translation Needs**

To the best extent possible, the City should identify the best method to disseminate information to those who require special services or document translation. This includes individuals with Access and Functional Needs (AFN), individuals covered under the Americans with Disabilities Act (ADA) and people with Limited English Proficiency (LEP). This engagement is in conjunction with the participation of local, state and federal government partners. While the City of Oak Harbor currently does not meet the minimum requirements for LEP persons, the City can contact translators should the need arise.

## Public Outreach Approach



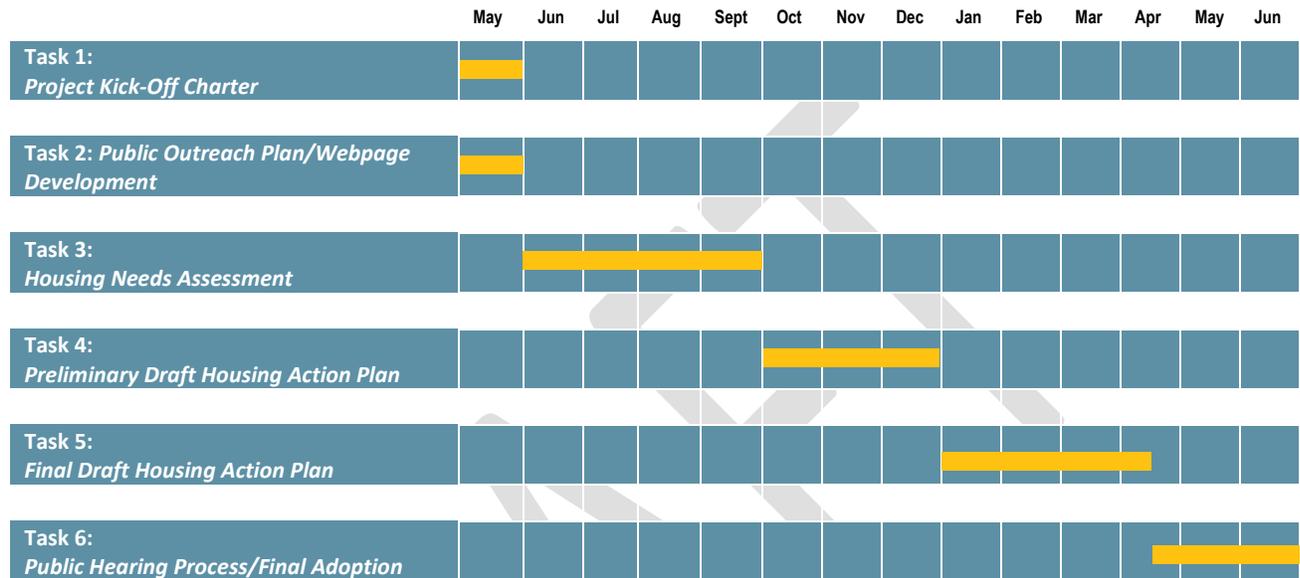
## Communications Protocols

Dennis Lefevre, Senior Planner, City of Oak Harbor, is the Project Manager. Any external communications (i.e. project stakeholders, public, media, etc.) will be routed through Mr. Lefevre. No external communication is to be routed to the consulting team.

Dennis Lefevre, Senior Planner, City of Oak Harbor, [dlefevre@oakharbor.org](mailto:dlefevre@oakharbor.org), 360-279-4513

## Project Timeline

The following is an estimated project timeline, which is subject to change. Refer to Appendix B – Scope of Work and Appendix C – Project Timeline for more details regarding specific project details and schedule.



## PIP Risks and Opportunities

As is the case with most long-range plans requiring public involvement, there is always some level of risk depending on the overall success of the engagement process. The following items outline potential issues, threats and risks the HAP project faces with regarding to garnering public participation. Some of these items are repeated from the Project Charter.

1. Lack of understanding of the project – A HNA and HAP are needed to identify both short- and long-term housing needs within the City of Oak Harbor. The overall process and methods of identifying these needs may not understandable to the general public. The project team should collectively work together to ensure that messaging is clear, understandable and accurately represents the issues raised by project stakeholders and participants.
2. Public engagement methods – Due to the recent COVID-19 pandemic, State and Federal government have placed restrictions on public gatherings, severely impacting opportunities for traditional public engagement methods. Even after the pandemic passes, there may be a greater fear of meeting in-person for quite some time. This has a significant effect on those who prefer to engage face-to-face vs. online, either by choice or because of a lack of online resources (Internet). The project team will need to assess current conditions at the time of each phase of the project, adjust participation

methods and ensure that whatever the current health directives and social distancing protocols are in place, that the public is engaged to the best extent possible.

3. Difficulty in reaching underserved or transient communities – Similar to item 2 above, there may be some challenges in reaching out to sectors of the community that have limited access or ability to participate. These may include low-socio economic segments, military families who frequently move, or the elderly population which may not have the ability to easily connect and participate.
4. Some community groups may feel underrepresented – The subject of housing availability and affordability is a challenging and, in many ways, sensitive topic of discussion amongst many socio-economic, political and age groups which may lead to debate. As a result, there may be final policy recommendations that may not fully address concerns of particular groups or citizens.
5. Survey may not accurately represent all stakeholder and public interests – Surveys are challenging in many ways. Survey questions may be difficult to understand, or they may be misleading or open-ended. Many times, surveys are too lengthy, which then leads to disinterest in the entire survey. Because of this, there may be a lack of respondents, which then leads to ineffective results. Surveys for this project should be short, easy to understand and used only sparingly where data proves to be very useful for data collection.

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## Appendix A – Stakeholder Contact List

### Federal & State

| Organization                            | Name          | Title                                      | Contact Info   |
|---|---------------|--|--|
| NAS Whidbey                             | Brian Tyhuis  | Community Planning Liaison Officer - NASWI | <a href="mailto:brian.tyhuis@navy.mil">brian.tyhuis@navy.mil</a>                 |
| Washington State Department of Commerce | Valerie Smith | Senior Planner                             | <a href="mailto:valerie.smith@commerce.wa.gov">valerie.smith@commerce.wa.gov</a> |

### Tribes

| Organization                      | Name          | Title             | Contact Info   |
|-----------------------------------|---------------|-------------------|--|
| Samish Indian Nation              | Ryan Walters  | Planning Director | <a href="mailto:ryanw@samishtribe.nsn.us">ryanw@samishtribe.nsn.us</a>           |
| Swinomish Indian Tribal Community | Zam DeShields | Planning Director | <a href="mailto:zdeshields@samishtribe.nsn.us">zdeshields@samishtribe.nsn.us</a> |
| Lummi Nation                      |               |                   |  |
| Stillaguamish                     |               |                   |  |
| Suquamish                         |               |                   |  |
| Tulalip Tribes                    |               |                   |  |
| Upper Skagit                      |               |                   |  |

### Other Local Government/Organizations

| Organization                                   | Name              | Title                         | Contact Info   |
|--|-------------------|-------------------------------|--|
| Oak Harbor City Council                        | TBD               | Councilmember                 | TBD  |
| Oak Harbor Planning Commission                 | TBD               | Planning Commissioner         | TBD  |
| Island County Planning & Community Development | Jessica Carpenter | Director                      | <a href="mailto:j.carpenter@islandcountywa.gov">j.carpenter@islandcountywa.gov</a> |
| Oak Harbor Public Schools                      | Dr. Lance Gibbon  | Superintendent                | <a href="mailto:lgibbon@ohsd.net">lgibbon@ohsd.net</a>                             |
| Whidbey Camano Land Trust                      | Stephanie Wiegard | Community Engagement Director | <a href="mailto:stephanie@wclt.org">stephanie@wclt.org</a>                         |

## Business Stakeholders

| Organization                                   | Name              | Title              | Contact Info   |
|--|-------------------|--------------------|--|
| Oak Harbor Chamber of Commerce                 | Miranda Hoppock   | Executive Director | <a href="mailto:miranda@oakharborchamber.com">miranda@oakharborchamber.com</a> |
| Economic Development Council for Island County | Sharon Sappington | Executive Director | <a href="mailto:info@edcislandcounty.org">info@edcislandcounty.org</a>         |

## Housing & Community Service Providers

| Organization                          | Name             | Title                         | Contact Info   |
|---------------------------------------|------------------|-------------------------------|--|
| Island County Human Services          | Jackie Henderson | Director                      | <a href="mailto:jackieh@islandcountywa.gov">jackieh@islandcountywa.gov</a>               |
| The Center                            | Liz Lange        | Senior Services Administrator | <a href="mailto:llange@oakharbor.org">llange@oakharbor.org</a>                           |
| Island County Housing Support Center  | Joanne Pelant    | Housing Resource Coordinator  | <a href="mailto:jpelant@islandcountywa.gov">jpelant@islandcountywa.gov</a>               |
| Habitat for Humanity of Island County | Orin Kolaitis    | Chief Executive Officer       | <a href="mailto:volunteer@islandcountyhabitat.com">volunteer@islandcountyhabitat.com</a> |
| Opportunity Council                   | Greg Winter      | Executive Director            | <a href="mailto:Greg_winter@oppco.org">Greg_winter@oppco.org</a>                         |

## Real Estate Agents/Builders/Lenders

| Organization                                | Name                   | Title                        | Contact Info   |
|---|------------------------|------------------------------|--|
| Sullivan Home Builders LLC                  | Ray Sullivan           | Owner                        | 360-507-2833   |
| Waldron Construction                        | Steve Waldron          | Owner                        | <a href="mailto:waldronc@live.com">waldronc@live.com</a><br>360-679-1827                                     |
| Clifton View Homes                          | Ted Clifton            | Owner                        | 360-678-7000   |
| Eagle Building Company                      | Bill Criswell          | Owner                        | 360-331-7813   |
| Lexar Homes                                 | Dave Orth              | Owner,<br>Burlington Branch  | 360-707-2112   |
| Skagit/Island Counties Builders Association | Charles (Wayne) Crider | Executive Officer            | <a href="mailto:Wayne@sicba.org">Wayne@sicba.org</a><br>360-488-4078   |
| Peoples Bank                                | Catherine Martyn       | Sr. Real Estate Loan Officer | <a href="mailto:Catherine.martyn@peoplesbank-wa.com">Catherine.martyn@peoplesbank-wa.com</a><br>360-679-0123 |
| Envoy Mortgage                              | Scott Fromme           | Premier Loan Officer         | <a href="mailto:sfromme@envoymortgage.com">sfromme@envoymortgage.com</a><br>360-639-4781                     |

## Appendix B – Scope of Work

### PHASE 1: LEARN

#### ACTION 1.1: INITIAL CITY VISIT/LEADERSHIP/PROJECT MANAGEMENT

STEP 1.1.1 Meet with appropriate City staff. Discuss existing housing conditions, community values/needs/issues and goals and expectations of Housing Action Plan. Discuss schedule, deliverables, communication protocols, public outreach methods/opportunities.

#### ACTION 1.2: PUBLIC INVOLVEMENT PLAN (PIP)/ESTABLISH WEBSITE – STORY MAP

STEP 1.2.1 Establish stakeholder advisory committee (SAC).

STEP 1.2.2 Identify and involve local and regional developers with interest in developing low- to moderate-income housing.

STEP 1.2.3 Develop PIP outlining: schedule, approaches, methods, goals, activities, stakeholders, team responsibilities, identification of venues & translation needs.

#### Deliverables/Assumptions:

- Kick-off Meeting
- City Housing Tour
- SAC Membership/Charter
- PIP/Schedule
- Project Website – Story Map

### PHASE 2: EXPLORE

#### ACTION 2.1: HOUSING NEEDS ASSESSMENT (HNA)

STEP 2.1.1 Quantify existing and projected housing needs for all income levels, including extremely low-income households/documentation of housing and household characteristics/cost burdened households (Housing Gap Analysis).

2.1.1.1 Document type and age of housing.

2.1.1.2 Identify how many households in each income segment are paying more than 30% of income for housing.

2.1.1.3 Identify housing and household characteristics.

2.1.1.4 Identify various levels of cost burdened households.

2.1.1.5 Project housing needs based on anticipated population forecast/all income levels.

2.1.1.6 Analyze population trends/forecasts.

2.1.1.7 Develop plan for maintaining existing housing stock within the City.

STEP 2.1.2 Review and evaluate effectiveness of current code provisions related to housing (Land Use Code Audit).

STEP 2.1.3 Identify barriers to accessing and production of housing.

STEP 2.1.4 Consider strategies to minimize displacement of low-income residents resulting from redevelopment.

STEP 2.1.5 Review HNA with SAC.

Deliverables/Assumptions:

- Complete draft HNA to review with SAC and Planning Commission.
- GIS maps/visuals supporting HNA, identifying housing needs within City (neighborhoods).

### **PHASE 3: PRELIMINARY STRATEGIES**

ACTION 3.1: DEVELOP INCENTIVES, STRATEGIES AND PROGRAMS INCREASING THE SUPPLY/VARIETY OF HOUSING TYPES IDENTIFIED IN THE HOUSING NEEDS ASSESSMENT

STEP 3.1.1 Identify housing types that are recommended and allowed by zoning.

STEP 3.1.2 Identify the types and densities of housing needed based on demographic and economic segments.

STEP 3.1.3 Identify incentives and regulations to encourage a variety of housing types.

STEP 3.1.4 Review trade-offs in various code requirements as they affect the yield of housing development (i.e. parking requirements, setbacks, and open space).

STEP 3.1.5 Evaluate the Housing Element to determine the effectiveness of development regulations in implementing these policies, whether short/long-term, fiscal impacts.

STEP 3.1.6 Develop financial analysis based on the identified incentives.

STEP 3.1.7 Review with SAC.

Deliverables/Assumptions:

- Complete list of incentives and financial analysis.
- Coordination with staff during strategy development.

### **PHASE 4: DRAFT HOUSING ACTION PLAN**

ACTION 4.1: PRELIMINARY DRAFT HOUSING ACTION PLAN

STEP 4.1.1 Development of draft Housing Action Plan.

STEP 4.1.2 Provide draft to staff/leadership/public for comment and review

4.1.2.1 Implement PIP, as developed in ACTION 1.2.

STEP 4.1.3 Identify schedule of programs and actions to implement the recommendations of the Housing Action Plan.

Deliverables/Assumptions:

- Draft plan for staff/leadership/public review.
- In collaboration with City, provide updated project information to website/storymap.
- LDC to coordinate with staff for public noticing.

## **PHASE 5: FINAL REVIEW & ADOPTION**

### ACTION 5.1: FINAL HOUSING ACTION PLAN

STEP 5.1.1 Refine and finalize documents based on staff/public/SAC comments.

STEP 5.1.2 Additional review/comment by PC/CC at public hearings.

#### Deliverables/Assumptions:

- Provide clean final copy of Housing Action Plan and supporting documents.
- Final website update with complete document.

DRAFT

## Appendix C– Project Timeline

Below is an estimated project timeline. All dates are subject to change, with the expectation that the Housing Action Plan must be adopted by early June 2021 in order to be completed by the June 30, 2021 Department of Commerce deadline.

| 2020                              |   |          |
|-----------------------------------|---|----------|
| <b>April 22 – May 31</b>          | Project Kick-Off                        | April 22 |
|                                   | Project Schedule Finalized              | May 1    |
|                                   | Project Charter Completed               | May 15   |
| <b>May 1 – May 31</b>             | Public Involvement Plan Review/Approval | May 22   |
|                                   | Project Landing Page                    | May 22   |
|                                   | Stakeholder Advisory Committee Formed   | May 29   |
| <b>June 1 – September 30</b>      | Begin Housing Needs Assessment Research | Jun 1    |
|                                   | Open HNA Survey                         | Jun 8    |
|                                   | Meeting/conference call with SAC        | Jun 11   |
|                                   | Close HNA Survey                        | Jul 6    |
|                                   | Public Meeting (TBD)                    | Jul 21   |
|                                   | Planning Commission HNA Review          | Aug 25   |
|                                   | City Council Workshop HNA Review        | Sept 23  |
| <b>October 1 – December 31</b>    | Begin Preliminary Draft HAP             | Oct 1    |
|                                   | City Staff Review Draft HAP             | Nov 1    |
|                                   | SAC meeting/conference call             | Nov 10   |
|                                   | Planning Commission Review HAP Draft    | Nov 19*  |
|                                   | City Council Review HAP Draft           | Dec 16#  |
| 2021                              |   |          |
| <b>January 1 – April 15, 2021</b> | Begin Final Draft HAP                   | Jan 4    |
|                                   | SEPA Determination Issued/Published     | Feb 5    |
|                                   | SEPA Comment Period Ends                | Feb 19   |
|                                   | SEPA Appeal Period Ends                 | Mar 5    |
|                                   | City Staff Review Final Draft HAP       | Mar 8    |
|                                   | SAC meeting/conference call             | Mar 16   |
|                                   | Final Draft HAP sent to Commerce        | Apr 5    |
| <b>April 15 – May 31</b>          | Planning Commission Public Hearing      | Apr 28   |
|                                   | City Council Public Hearing/Adoption    | Jun 1    |
|                                   | Final Plan/Ordinance sent to Commerce   | Jun 14   |
| <b>June 30, 2021</b>              | HAP Plan Adoption Deadline              |          |

\* Special Planning Commission Meeting due to Thanksgiving Holiday on Nov 26

# Special City Council Workshop Meeting due to Christmas Holiday week of Dec 21

# Housing Action Plan Update

*Attachment 3:*

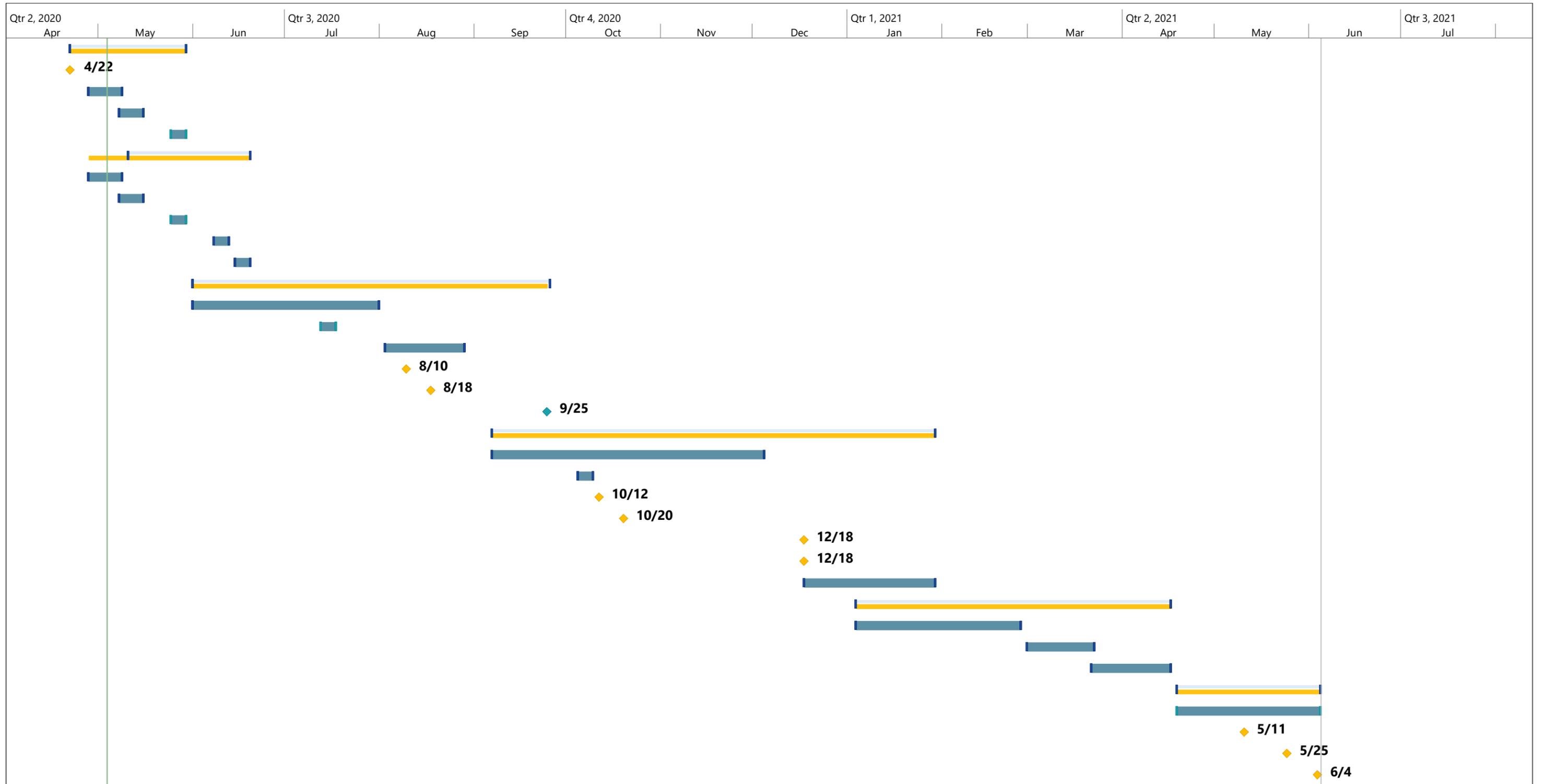
*City of Oak Harbor HAP Schedule*

June 23, 2020

| ID | Task Mode | Task Name  | Duration        | Start              | Finish             | Qtr 1, 2020 |     |     |     |     |
|----|-----------|--|-----------------|--------------------|--------------------|-------------|-----|-----|-----|-----|
|    |           |  |                 |                    |                    | Nov         | Dec | Jan | Feb | Mar |
| 1  | ★         | <b>Task 1: Project Kick-Off/Project Charter/Schedule</b>           | <b>28 days</b>  | <b>Wed 4/22/20</b> | <b>Fri 5/29/20</b> |             |     |     |     |     |
| 2  | ★         | 1.0 Project Kick-Off Meeting                                       | 0 days          | Wed 4/22/20        | Wed 4/22/20        |             |     |     |     |     |
| 3  | ★         | 1.1 Draft Charter to City for Review                               | 9 days          | Tue 4/28/20        | Fri 5/8/20         |             |     |     |     |     |
| 4  | ★         | 1.2 Comments Received from City                                    | 6 days          | Fri 5/8/20         | Fri 5/15/20        |             |     |     |     |     |
| 5  | ★         | 1.3 Final Charter/Schedule to City                                 | 5 days          | Mon 5/25/20        | Fri 5/29/20        |             |     |     |     |     |
| 6  | ★         | <b>Task 2: Public Outreach Plan/Webpage Development</b>            | <b>30 days</b>  | <b>Mon 5/11/20</b> | <b>Fri 6/19/20</b> |             |     |     |     |     |
| 7  | ★         | 2.1 Draft PIP to City for Review                                   | 9 days          | Tue 4/28/20        | Fri 5/8/20         |             |     |     |     |     |
| 8  | ★         | 2.2 Comments Received from City                                    | 6 days          | Fri 5/8/20         | Fri 5/15/20        |             |     |     |     |     |
| 9  | ★         | 2.3 Final PIP to City  | 5 days          | Mon 5/25/20        | Fri 5/29/20        |             |     |     |     |     |
| 10 | ★         | 2.4 Council Review (Charter/PIP)                                   | 5 days          | Mon 6/8/20         | Fri 6/12/20        |             |     |     |     |     |
| 11 | ★         | 2.5 Project webpage online   | 5 days          | Mon 6/15/20        | Fri 6/19/20        |             |     |     |     |     |
| 12 | ★         | <b>Task 3: Housing Needs Assessment</b>                            | <b>85 days?</b> | <b>Mon 6/1/20</b>  | <b>Fri 9/25/20</b> |             |     |     |     |     |
| 13 | ★         | 3.1 Data Collection  | 45 days         | Mon 6/1/20         | Fri 7/31/20        |             |     |     |     |     |
| 14 | ★         | 3.2 SAC Meeting #1   | 5 days          | Mon 7/13/20        | Fri 7/17/20        |             |     |     |     |     |
| 15 | ★         | 3.3 Draft HNA for Review   | 20 days         | Mon 8/3/20         | Fri 8/28/20        |             |     |     |     |     |
| 16 | ★         | 3.4 Planning Commission Meeting                                    | 0 days          | Mon 8/10/20        | Mon 8/10/20        |             |     |     |     |     |
| 17 | ★         | 3.5 City Council Meeting Study Session                             | 0 days          | Tue 8/18/20        | Tue 8/18/20        |             |     |     |     |     |
| 18 | ★         | 3.6 Final HNA to City  | 0 days          | Fri 9/25/20        | Fri 9/25/20        |             |     |     |     |     |
| 19 | ★         | <b>Task 4: Preliminary Draft Housing Action Plan</b>               | <b>105 days</b> | <b>Mon 9/7/20</b>  | <b>Fri 1/29/21</b> |             |     |     |     |     |
| 20 | ★         | 4.1 Draft HAP Prepared   | 65 days         | Mon 9/7/20         | Fri 12/4/20        |             |     |     |     |     |
| 21 | ★         | 4.2 SAC Meeting #2   | 5 days          | Mon 10/5/20        | Fri 10/9/20        |             |     |     |     |     |
| 22 | ★         | 4.3 Planning Commission Meeting                                    | 0 days          | Mon 10/12/20       | Mon 10/12/20       |             |     |     |     |     |
| 23 | ★         | 4.4 City Council Meeting Study Session                             | 0 days          | Tue 10/20/20       | Tue 10/20/20       |             |     |     |     |     |
| 24 | ★         | 4.5 Draft HAP Issued   | 0 days          | Fri 12/18/20       | Fri 12/18/20       |             |     |     |     |     |
| 25 | ★         | 4.6 Send Draft HAP to Commerce                                     | 0 days          | Fri 12/18/20       | Fri 12/18/20       |             |     |     |     |     |
| 26 | ★         | 4.7 Citizen and Stakeholder Review                                 | 31 days         | Fri 12/18/20       | Fri 1/29/21        |             |     |     |     |     |
| 27 | ★         | <b>Task 5: Final Draft Housing Action Plan preparation</b>         | <b>75 days</b>  | <b>Mon 1/4/21</b>  | <b>Fri 4/16/21</b> |             |     |     |     |     |
| 28 | ★         | 5.1 Final Draft Prepared   | 40 days         | Mon 1/4/21         | Fri 2/26/21        |             |     |     |     |     |
| 29 | ★         | 5.2 City Review  | 16 days         | Mon 3/1/21         | Mon 3/22/21        |             |     |     |     |     |
| 30 | ★         | 5.3 Final Edits  | 20 days         | Mon 3/22/21        | Fri 4/16/21        |             |     |     |     |     |
| 31 | ★         | <b>Task 6: Public Hearing Process/Final Adoption</b>               | <b>35 days</b>  | <b>Mon 4/19/21</b> | <b>Fri 6/4/21</b>  |             |     |     |     |     |
| 32 | ★         | 6.1 Assist City staff with supporting materials Commission/Council | 35 days         | Mon 4/19/21        | Fri 6/4/21         |             |     |     |     |     |
| 33 | ★         | 6.2 Planning Commission Hearing                                    | 0 days          | Tue 5/11/21        | Tue 5/11/21        |             |     |     |     |     |
| 34 | ★         | 6.3 City Council Hearing/Adoption (City)                           | 0 days          | Tue 5/25/21        | Tue 5/25/21        |             |     |     |     |     |
| 35 | ★         | 6.4 Send Docs to Commerce (City)                                   | 0 days          | Fri 6/4/21         | Fri 6/4/21         |             |     |     |     |     |

Project: 20200430 DRAFT Proje  
Date: Mon 5/4/20

|           |  |                    |  |                       |  |                    |  |                 |  |
|-----------|--|--------------------|--|-----------------------|--|--------------------|--|-----------------|--|
| Task      |  | Project Summary    |  | Manual Task           |  | Start-only         |  | Deadline        |  |
| Split     |  | Inactive Task      |  | Duration-only         |  | Finish-only        |  | Progress        |  |
| Milestone |  | Inactive Milestone |  | Manual Summary Rollup |  | External Tasks     |  | Manual Progress |  |
| Summary   |  | Inactive Summary   |  | Manual Summary        |  | External Milestone |  |                 |  |



Project: 20200430 DRAFT Proje  
Date: Mon 5/4/20

|           |                    |                       |                    |                 |   |
|-----------|--------------------|-----------------------|--------------------|-----------------|---|
| Task      | Project Summary    | Manual Task           | Start-only         | Deadline        | ↓ |
| Split     | Inactive Task      | Duration-only         | Finish-only        | Progress        | — |
| Milestone | Inactive Milestone | Manual Summary Rollup | External Tasks     | Manual Progress | — |
| Summary   | Inactive Summary   | Manual Summary        | External Milestone | —               |   |

Planning Commission

# Public Meeting

Shoreline Master Program

Update

June 23, 2020

# City of Oak Harbor Planning Commission Report

Date: June 23, 2020  
Subject: SMP Update/Consultant  
progress.

**FROM:** Dennis Lefevre, AICP, Senior Planner, Development Services Department

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## **PURPOSE**

The purpose of this presentation is to provide a progress report on the Shoreline Master Program (SMP) Periodic Review and consultant portion of this project.

## **BACKGROUND / SUMMARY INFORMATION**

As noted in previous presentations, this periodic review is based on three main steps. These steps are established in WAC 173-26-090(3)(b) and include:

1. review amendments to the Shoreline Management Act (SMA) and Department of Ecology (DOE) program guidelines and incorporate as necessary;
2. review locally adopted comprehensive plans and development regulations to ensure consistency; and,
3. consider amendments needed to reflect changed circumstances, new information, or improved data. There is no minimum requirement established to meet this review condition.

Step 1 has been completed. The DOE checklist used for this step was included in your January meeting packet. As part of Step 2, Attachment 1 has been provided. This document identifies the local and regional plans (16) which potentially influence the City's shoreline. In some cases, specific plan policies have been identified, while a document summary has been provided for other planning documents. This document also identifies the recently adopted development regulations (primarily the critical areas ordinance and low impact development) and how they have been integrated into the draft SMP. This document is in draft form and is open for discussion and comment.

The City received a DOE grant for this periodic review. These funds have secured the services of Coastal Geologic Services, Inc. to analyze the shoreline/bluff interface that exists within the Residential-Bluff Conservancy Environment Designation. This analysis will assess the geologic and hydraulic characteristics of this area and ensure that our current SMP and critical areas regulations balance the function and value of this sensitive area with existing property rights. A City/consultant kick-off meeting was held earlier this month.

Depending on the outcome of the consultant analysis, development regulations may be identified which require amendment, these proposed amendments would be incorporated into Step 3 (changed circumstances, new information, or improved data) of the SMP Periodic Review. Opportunities for Planning Commission review of the consultant analysis is anticipated in the

fall of 2020. A consultant scope of work is included as Attachment 2.

It should be noted that staff had met with and established communications with the DOE regional planner, David Pater, for this effort. David was a valuable resource for this project and had a strong knowledge base of our shoreline issues since he was involved in the previous comprehensive effort. Unfortunately, David has taken a position in another DOE division and will no longer be working with us. A replacement has not been named.

**RECOMMENDED ACTION**

No action is being requested at this meeting.

**ATTACHMENTS**

1. Local Plan and Development Regulation Consistency Review.
2. Consultant scope of work.

# Shoreline Master Program Update

*Attachment 1:*

*Local Plan and Development Regulation  
Consistency Review*

June 23, 2020



## **DOCUMENT 3**

### **Consistency Review of Relevant Comprehensive Plans and Development Regulations**

(WAC 173-26-090(3)(b)(ii)): **Review relevant comprehensive plans and regulations.** Local governments must review changes to the comprehensive plan and development regulations to determine if the shoreline master program policies and regulations remain consistent with them.

### **Comprehensive Planning Consistency Review**

#### **City of Oak Harbor Comprehensive Plan – A Vision for the Future, December 2016, as amended, City of Oak Harbor.**

Several goals and policies support the Shoreline Master Program and intended goals.

*Land Use Policy 3.e.:* Enhance and protect the waterfront as an asset and implement the Waterfront Redevelopment, Branding and Marketing Program.

*Land Use Policy 5.b.:* Protect public view corridors.

*Urban Design Policy 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.

*Urban Design Policy 5.d.:* Developments along Oak Harbor’s waterfront should enhance the area’s natural and physical aesthetics.

*Urban Design Policy 5.f.:* The City and the Navy should cooperate on the protection of viewsheds and view corridors.

*Open Space Goal 1.:* Construct a waterfront trail system linking providing public access to the waterfront from Scenic Heights Road to Maylor Point.

*Open Space Goal 8.:* Identify and preserve open space lands that permit public access to the waterfront, and to other areas where the public can interact with natural features.

*Open Space Goal 11.:* Identify and protect important “view corridors” that provide visual access to scenic vistas.

*Open Space Goal 12.:* Protect open spaces that provide important ecological functions and values.

*Environmental Policy 3.f.:* Include stormwater management facilities to protect water quality and limit maximum discharge to pre-development rate conditions in new developments and substantial redevelopment projects.

- Environmental Policy 3.h.:* Provide regulations to guide corrective actions necessary to mitigate or cleanse those discharges that pollute waters of the state.
- Environmental Policy 7.a.:* Include the best available science in developing policies and regulations to protect the functions and values of critical areas and shorelines.
- Environmental Policy 10.a.:* Designate and classify critical fish and wildlife areas based on type and/or association with priority species.
- Environmental Policy 10.c.:* Maintain standards for buffers and timing or activity restrictions based on the habitat class and priority species use.
- Environmental Policy 10.e.:* Develop conservation or protection measures necessary to preserve or enhance anadromous fish habitat.
- Environmental Policy 14.a.:* Assure protection of the unique character of the City of Oak Harbor and its shoreline environment while providing for compatible use of the shoreline.
- Environmental Policy 14.b.:* Evaluate proposals for economic development along the shoreline or over the water with regard to the degree to which the natural environment and the social qualities of the city will be enhanced and/or affected. Evaluate such proposals with a preference for long-term benefits over short-term benefits. Evaluate development proposals with a preference for proposals that concentrate development in areas where current development already exists.
- Environmental Policy 14.c.:* Ensure safe, convenient, and diversified public access to the water and shoreline, while protecting the natural environment and maintaining quality of life.
- Environmental Policy 14.d.:* Designate, protect and enhance forage fish spawning areas, eelgrass, shellfish areas and shoreline areas used by bald eagles or great blue herons as fish and wildlife habitat conservation areas.
- Environmental Policy 14.e.:* Ensure efficient movement of people, with minimum disruption of the shoreline environment and minimum conflict between different types of uses, through transportation systems developed along the shoreline.
- Environmental Policy 14.f.:* Encourage diverse, water-oriented recreational opportunities that are compatible with and appropriate to the shoreline locations on which they are planned without degrading the shoreline environment.
- Environmental Policy 14.g.:* Conserve natural resources unique to the shoreline for the benefit of existing and future generations. Utilize the following prioritized mitigation sequence in addressing potential impacts to the natural resources associated with the shoreline when evaluating development proposals:
1. Avoid impact by not taking certain action or parts of an action.
  2. Minimize impact by limiting the degree or magnitude of action by use of technology or other means.
  3. Rectify impact by repair, rehabilitation, or restoration.
  4. Reduce or eliminate impact over time by preservation and maintenance operations.
  5. Compensate for impact by replacing, enhancing, or providing substitute resources.
  6. Monitor the impact and compensation project, taking appropriate corrective measures.
- Environmental Policy 14.h.:* Protect and/or restore shoreline or water areas that have educational, scientific, archaeological, historic, or cultural value.
- Environmental Policy 14.i.:* Recognize that areas lying seaward from the line of extreme low tide of Oak Harbor Bay as shorelines of statewide significance and manage the uses along these shorelines with the recognition of their regional importance.

**Page 9:** **Chapter 2.B.2.b.:** The land use designations and map were restructured as part of the 2016 Comprehensive Plan Update. This change reflects the adopted designations.

**City of Oak Harbor Parks, Recreation and Open Space Plan, July 2019, City of Oak Harbor.**

*No inconsistency with applicable SMP policy or regulations identified.* Several of the plan's Open Space Goals implement Shoreline Management Act use preferences such as increasing public access and preserving the natural character of the shoreline:

*Open Space Goal c.:* Develop the waterfront trail into a promenade and improve the connection between the marina and downtown;

*Open Space Goal h.:* Identify and preserve open space lands that permit public access to the waterfront and other natural areas;

*Open Space Goal j.:* Identify and protect important "view corridors" that provide visual access to scenic vistas.

**City of Oak Harbor Windjammer Park Integration Plan, June 2016, MWA Architects, Greenworks, Enviroissues.**

*No inconsistency with applicable SMP policy or regulations identified.* This phased redevelopment plan has maintained a focus on the park's shoreline amenities and the public access opportunities which exist. A shoreline substantial development permit (PLN-17-14) was approved for Phase 1 development in 2017. Subsequent phase development will also require shoreline permitting any reconfiguration of the lagoon.

**City of Oak Harbor, Washington – Waterfront Redevelopment, Branding & Marketing Program, March 2005, Destination Development, Inc.**

*No inconsistency with applicable SMP policy or regulations identified.* This dated plan established recommendations to enhance Oak Harbor's tourism infrastructure. Several projects focused on City Beach Park (aka Windjammer), however, the redevelopment of this park was the focus of the later Windjammer Park Integration Plan (June 2016).

**City of Oak Harbor Wastewater Facilities Plan Volume I, August 2013, Carollo Engineers.**

*No inconsistency with applicable SMP policy or regulations identified.* As stated in this plan, there are relatively few undeveloped properties remaining within the shoreline jurisdiction within the core city area, so the majority of future development will likely involve the redevelopment of existing parcels in a manner that is consistent with the goals and policies outlined in the Shoreline Master Plan.

Consistent with this supposition and this plan's recommendations, a new clean water facility was put on-line in November 2018. The footprint of this new facility was very near the location of the replaced facility and required processing of a Shoreline Substantial Development Permit. Through this permit, the proposed development was found to be consistent with the goals and

policies of the Shoreline Management Act and the policies and regulations of the City's Shoreline Master Program.

**Design Regulations & Guidelines, April 2006, City of Oak Harbor.**

*No inconsistency with applicable SMP policy or regulations identified.*

**Freund Marsh Master Plan Final Report Task 8, November 1997, Adolfsen Ass., Inc.**

*No inconsistency with applicable SMP policy or regulations identified.* This document proposed alternatives for wetland restoration, trail system & interpretive program which is consistent with uses permitted in the Conservancy environmental designation.

**Oak Harbor Marina Redevelopment Program, April 2009, Peratrovich, Nottingham and Drage Engineers, Inc.**

*No inconsistency with applicable SMP policy or regulations identified.* The plan identifies several large-scale shoreline-related projects, i.e. dock replacement, multi-use public access floats, dredging, and boat launch repair. The plan was completed prior to the comprehensive update to the 2013 SMP and has incorporated shoreline use provisions permitting these types of projects in the Maritime environmental designation. Shoreline substantial development review and permitting will likely be necessary for most marina projects.

**Stormwater Management Program Plan – Compliance With NPDES Phase II Permit, March 2019, City of Oak Harbor.**

The Water Quality, Stormwater, and Non-Point Source Pollution (Chapter 3 Section B.10. General Provisions) has been updated to reflect requirements of the most recent NPDES Phase II permit requirements. Permit conformance serves to enhance the goals of the Shoreline Management Act/Shoreline Master Program by requiring actions and activities designed to limit pollutants from entering the state's surface waters.

**Oak Harbor Comprehensive Stormwater Plan, March 2020, Gray & Osborne, Inc.**

*No inconsistency with applicable SMP policy or regulations identified.* This recently completed plan analyzes the entire stormwater system for the City. While not addressed in the stormwater plan, ecological function within the shoreline jurisdiction is inherently linked to stormwater quantity and quality produced citywide.

**2017 State of the Sound, November 2017, Puget Sound Partnership.**

*No inconsistency with applicable SMP policy or regulations identified.* This plan is produced every two years and shares progress, or setbacks made in the Puget Sound recovery effort.

## **The 2018-2022 Action Agenda for Puget Sound, December 2018, Puget Sound Partnership.**

*No inconsistency with applicable SMP policy or regulations identified.* Identifies large-scale regional strategies and specific actions needed for Puget Sound recovery. This represents the Comprehensive Plan from which policy guidance and direction is given. This guidance provides the framework for the regional implementation plan and Local Integrating Organization's ecosystem recovery plans. Pressures identified include: development and land conversion; increased impervious surface; wastewater from homes/businesses; increasing demand for freshwater resources; and greenhouse gas emissions. Changing climatic conditions are also addressed through temperature; precipitation; heavy rainfall; sea level rise; and, ocean acidification.

## **The 2018-2022 Action Agenda for Puget Sound – Implementation Plan, December 2018, Puget Sound Partnership.**

*No inconsistency with applicable SMP policy or regulations identified.* This plan establishes needed recovery actions and informs investment in Puget Sound recovery over a four-year period.

## **Local Integrating Organization – Island Ecosystem Recovery Plan, June 2017, Island County.**

*No inconsistency with applicable SMP policy or regulations identified.* The local recovery strategy produced by the Island Local Integrating Organization focuses on key local pressures such as stormwater runoff and marine shoreline infrastructure. Specific near-term action projects focused at the Oak Harbor Marina for reductions in stormwater runoff, shading and hard shoreline armoring are consistent with SMP policy guidance.

## **Island County Shoreline Master Program Update, December 2015.**

*No inconsistency with applicable SMP policy, regulations, or use identified.* Island County's southern adjacent environment designation is Rural Conservancy. Rural Conservancy is also to the east, but NASWI property separates the City of Oak Harbor from Island County. Both the Residential Bluff Conservancy (OH) and Rural Conservancy permit single-family residential, water-oriented recreational facilities, and shoreline access structures such as trails, walkways, and stairs.

Both designations address setbacks for slopes 40% or greater:

OH – 50-foot setback from top of slope with a required critical areas report for residential within 100 feet of the top of slope.

IC – 30-foot setback from top of slope.

IC – 50-foot setback required for exceptional feeder bluffs.

**Island County Water Resource Management Plan – 2514 Watershed Planning, June 2005, Island County Water Resource Advisory Committee.**  
*No inconsistency with applicable SMP policy or regulations identified.* This watershed planning effort focuses on freshwater resources primarily inland from the shoreline jurisdiction.

### **Development Regulation Consistency Review**

#### **Critical Areas Ordinance (Updated by Ordinance Nos. 1801 and 1874)**

##### **SMP Table of Contents – Attachments**

- Exh 1:** Figure 1 – Shoreline Environment Designations
- Exh 2:** Ordinances Nos. 835, and 1472, 1794, and 1799, OHMC Chapter 17.20 “Flood Damage Prevention”
- Exh 3:** Ordinance Nos. 1440, 1801, and 1874, OHMC Title 20 “Environment”
- Page 24:** Chapter 3.B.4.a.1.: Revised to reflect the recent Ordinances adopting new critical areas regulations.
- Page 24:** Chapter 3.B.4.a.2.: Revised to add Ordinances adopting the most recent FIRM and other amendments to OHMC Chapter 17.20.
- Page 44:** Chapter 4.C. Table 2 Footnote 6: Revised to reflect the recent Ordinances adopting new critical areas regulations.

#### **Fish and Wildlife Habitat Conservation Areas:**

**Page 24:** Chapter 3.B.4.a.4.f.: Fish & wildlife habitat conservation area buffers established in OHMC 20.25.040(1) are not applicable in SMP. This code section indicates “aquatic fish and wildlife habitat conservation areas shall be protected with vegetated buffers, which also provide riparian wildlife habitat”.

Also, Chapter 3.B.8. establishes vegetation conservation zones. 3.B.8.c.6-8 provide regulations for the preservation of native vegetation, replacement planting, and acceptable uses within the shoreline setback areas identified in Chapter 4.C. Table 2.

**Page 38:** Chapter 3.B.9.: This section establishes policies and regulations pertaining to areas with critical saltwater habitat which are not addressed in OHMC 20.25, however, in communication with David Pater (WDOE) and Keith Folkerts (WDFW) have indicated that there has not been any statutory changes to critical saltwater habitat and that ours still is suitable for Oak Harbor.

#### **Frequently Flooded Areas:**

**Page 24:** Chapter 3.B.4.a.2.: Flood hazard areas located within the City of Oak Harbor’s shoreline jurisdiction are regulated by Flood Damage Prevention Regulations, Ordinances Nos. 1794, 2017; 1704, 2014; 1472, 2006; and 835, (1989) and 1462 (2006) and codified under Chapter 17.20 of the Oak Harbor Municipal Code, which are herein incorporated into this SMP, except as specifically modified or exempted in this Section.

**Page 26:** Chapter 3.B.4.a.5.e.: Reference should be to Chapter 3: Chapter 53, Section B.6.

### **Geologically Hazardous Areas:**

**Page 25:** Chapter 3.B.4.a.4.e.: SMP overrides OHMC 20.28.040 – modifications and flexibility.

**Page 47:** Chapter 4.C.: Shoreline Development Standards: Table and footnote 6 establishes a consistency with the Shoreline setback and bluff setback of no less than 25'. OHMC 20.28.030 requires a 25' setback from top of a steep or unstable slope unless a geotechnical analysis requires a larger setback.

A critical areas report is required consistently. In Res-Bluff Conservancy new or expanded structures proposed within 100' will require CAR. OHMC all SF development within 100' and comm., ind, or m.f. within 200' must submit a CAR.

SMP and OHMC require geotechnical analysis: Chapter 4.C Footnote 6 references Geotech analysis and refers to Chapter 5.C.1.c.1.c. Statement added that additional geotechnical analysis requirements are identified in the Definitions Chapter 7. Geotech requirements included in OHMC 20.28.020(1).

### **Low Impact Development (Ordinance No. 1784, November 2016)**

A review of the current SMP identified several references to “low impact development”, “pervious pavement”, or other phrases pertaining to stormwater management, conveyance storage, etc. Terminology in the 2013 SMP has been reviewed and refreshed to reflect more current language established in the current NPDES Phase II permit and stormwater manual (Stormwater Management Manual for Western Washington 2012, as amended December 2014). **These recommended changes are documented in the “*Changing Local Circumstances, New Information, or Improved Data*” reference document 4.**

### **Small Cell (Ordinance Nos. 1840 & 1841:**

**Page 65:** Chapter 4.D.12.a.: Added small cell facilities to list of utilities regulated under this SMP.

### **OHMC Chapter 18.20:**

**Page 94:** Chapter 6.B.2.m.: An amendment is considered legislative and would track to the Council after recommendation by the Planning Commission.

**Page 94:** Chapter 6.B.2.o.: The Planning Commission would also receive technical assistance.

**Page 96:** Chapter 6.E.2.: CUP's are intended to be heard by the hearing examiner.

**Page 97:** Chapter 6.E.6: Added item 6. to reflect that amendments must go through the Planning Commission.

### **Definitions**

A review of Chapter 7 revealed several definitions not consistent with the RCW's, WAC's, or other State agency guidance documents. **The full list of recommended definition revisions are documented in the “*Other Amendments and list of Minor Errors/Corrections 2013 SMP*” reference document 1.**

# Shoreline Master Program

## Update

*Attachment 2:*

*Consultant scope of work*

June 23, 2020

## **ATTACHMENT 2 SCOPE OF WORK**

### **City of Oak Harbor Residential Bluff Conservancy Analysis March 23, 2020**

#### **TASK 1: RESEARCH & DATA REVIEW**

STEP 1.1: Compile and review existing studies and reports from previous site assessments and developments within the area of potential effect of the Residential Bluff Conservancy Designation.

STEP 1.2: Assemble publicly available geologic and shoreline mapping, historical and recent shoreline and aerial photography, LiDAR elevation data, subsurface exploration logs, hydrologic and watershed data, and any other pertinent data.

STEP 1.3: Synthesize data gathered in STEP 1.1 and 1.2 to determine data gaps.

#### **TASK 2: FIELD EXPLORATION**

STEP 2.1: Develop field exploration plan prioritizing data gaps.

STEP 2.2: Field exploration assessments will include: upland geology and drainage assessments; bluff condition analysis; bluff erosion retreat rate; and, ecological conditions analysis.

#### **TASK 3: GEOLOGIC & ENGINEERING ANALYSIS**

STEP 3.1: Analysis and calculations will include:

- Historic bluff recession rates with future predictions based on possible mitigation scenarios.
- Limit-equilibrium slope stability analysis at critical bluff cross-sections.
- Wave fetch assessment to estimate wave height and wave energy.
- Sea level rise effects on bluff stability and shoreline armoring.
- Hydrologic storm analysis for applicable developed and pre-developed conditions, including discharge volumes for a 100-year storm event and its potential impact on bluff stability.

#### **TASK 4: POLICY DISCUSSION & RECOMMENDATIONS**

STEP 4.1: Develop narrative assessment incorporating above findings.

STEP 4.2: Review city staff potential policy or regulatory revisions based on assessment.

STEP 4.3: Participate in a city-sponsored shoreline stakeholders meeting to share assessment

and potential recommendations.

**STEP 4.4:** Prepare a ranked list of policy/regulatory priorities including qualitative cost-benefit analysis reflecting anticipated general costs, practicality of enforcement, and estimate of regulatory burden to homeowners, consultants, and developers.

Planning Commission

# Public Meeting

Zoning Code Revisions: Building  
Height Definition and Accessory  
Building Standards

June 23, 2020

# City of Oak Harbor Planning Commission Report

Date: June 23, 2020  
Subject: Zoning Code Revisions: Building  
Height Definition & Accessory  
Building Standards

**FROM:** Ray Lindenburg, AICP, Associate Planner, Development Services Department

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## **PURPOSE**

Staff has identified sections within the Oak Harbor Municipal Code (OHMC) as targets for revision to allow either greater efficiency for users of the Code, or to clarify language that may be confusing or contradictory.

## **BACKGROUND**

Two sections of the OHMC will be presented for potential revision:

**Accessory Building Standards** (Sections 19.20.120(10), 19.20.145(10), 19.20.180(10), 19.20.215(10) for the R-1, R-2, R-3 and R-4 zone districts, respectively)

The following paragraph appears as item #10 in the R-1 through R-4 zoning districts 'Density' sections. Staff has identified a couple of issues with the paragraph that are outlined below. A revised version of the subject paragraph is provided after the analysis of the current wording.

Original OHMC: *“A **single-story** accessory building containing less than 600 square feet of **floor area** may be constructed **within five feet** of either sideline or rear property line provided there is six feet of unencumbered space between the principal structure and the accessory building. Accessory buildings shall not have a metal finish except when the finish is listed by the manufacturer or approved by the building department as a nonglare finish. The **maximum floor area** of an accessory structure shall not exceed 50 percent of the floor area of the primary structure”*

“Single-story” - Staff discussion centered around the total height of the building rather than how interior space was utilized. The current wording would seem to preclude the use of a garage with storage loft or other type of second-story or attic space. Viewing this from a form-based code perspective, the exterior appearance should be the driving concern of impact to the neighborhood. In this text, height is not addressed: a 35-foot tall building could be built immediately adjacent to the property line. Proposed wording addresses this concern by the provision of a one-for-one increase in height above a standard 15-foot limitation – in other words, a 20-foot tall structure would be allowed with a 5-foot increase in setback.

“Floor area” - One key potential impact to neighboring properties is the size of the building, which should be guided by footprint and height. Utilizing floor area confuses the issue if more than one story is utilized. Staff notes that ‘building area’ is already defined within the OHMC and can be utilized in this context without further changes or complication to the code.

“Within five feet” - has no meaning as a setback. “Within” could mean zero feet or five feet or anything between. A set distance of five feet has basis in maintenance – being able to access the space to remove vegetation or debris; keeping roof drainage on site; and in the building code, which requires 10-foot separation between buildings.

“Maximum floor area” - should be referred to by the existing designation of ‘building area’ as noted above.

Staff has identified these issues through the process of utilization of the code and application of the standards. Each of these above items have been singled out as being confusing or potentially in conflict with other sections of the zoning or building codes. With some minor changes to the respective code sections (listed above), staff feels that the application of this code will be streamlined in its practical application as well as explanation to the public.

*Proposed revision: An accessory building or buildings of less than 600 total square feet in building area and 15 feet in building height may be constructed in the rear yard a minimum of five feet from property lines and providing ten feet of unencumbered space between the principal structure and the accessory building. Additional building height is permitted with a corresponding increase in setback up to the maximum height in the zone district; or, location within the principal building setbacks. The exterior design of accessory buildings shall match or complement the design and materials of the primary structure on the property. The maximum building area of an accessory structure shall not exceed 50 percent of the building area of the primary structure.*

The proposed revision clarifies the total footprint that an accessory structure may occupy; refers to a maximum height as defined by the OHMC; places a specific number on setback requirements and allows provision for increased height with an increased setback. In addition, staff strengthened the aesthetic requirement to better ensure that accessory buildings better blend into the built environment.

### **Building Height Definition** (Section 19.08.115)

The building height definition is currently measured from the corners of the property on which a building is proposed or constructed, instead of the corners of the building itself. This distinction has created difficulties for developers – on sloping lots, buildings are limited in height below what would be allowed if the building height were measured at the building corners, as is the case in many codes. Because of this, some developers have resorted to complicated boundary line adjustments or attempts at creating new lots to make the regulation work, creating extra processing time and potential future property issues.

*Original OHMC: “Building height” means the vertical distance from the average natural grade level to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. Average natural grade shall be*

*defined as the average elevation of the highest corners and the lowest corners of the lot or parcel.*

Some codes, such as Anacortes, insert additional caveats, including for buildings on corner lots and other variables. There does not seem to be a reason for increasing the complexity of this section of code – the change below simply moves the average measurements to relate to the building rather than the lot.

Proposed revision : *“Building height” means the vertical distance from the average natural grade level to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. Average natural grade shall be defined as the average elevation of the highest and lowest corners of the building.*

This seemingly minor change in wording will likely have a significant effect on development within the city – not from changing the heights of buildings, but of streamlining the process of development. Currently, staff is aware of several projects that have been affected some way by this code section – notably, the Park Terrace apartment project is on several different lots designed specifically to allow for the 3-story buildings to be constructed on the site. The processing of the lot adjustments and associated access and other easements added significant time to the review and approval of that project.

#### **RECOMMENDED ACTION**

Staff is presenting these proposed code amendments for review and discussion with the intent of making any minor adjustments and returning with draft ordinance text for review at a future meeting.

#### **ATTACHMENTS**

None

Planning Commission

# Public Meeting

2020 Comprehensive Plan

Amendments

June 23, 2020

# City of Oak Harbor Planning Commission Report

Date: June 23, 2020  
Subject: 2020 Comprehensive  
Plan Amendments

**FROM:** Cac Kamak, AICP, Interim Director, Development Services Department

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## **PURPOSE**

This memo presents a brief summary of the update process for the 2020 Comprehensive Plan amendments. This year the docket includes an update to the Housing Element, Capital Improvements Plan, and Land Use changes. The City is also tracking its work with Island County on the JPA through the Comprehensive Plan docket process.

## **BACKGROUND / SUMMARY INFORMATION**

The Planning Commission is aware of the annual Comprehensive Plan amendment process. As with all other processes in the state and the county, the process of reviewing the amendments has been impacted by the COVID 19 pandemic and its related restrictions. However, staff have been adapting and working to keep things moving. Below is a brief update on the docket items.

- Housing Element –In April this year, the City Council approved a consultant contract for a Housing Action Plan (HAP). The contract was possible due to a successful grant application to the Department of Commerce. Staff have been able to work with the consultant during the COVID 19 restrictions and are in the process of reviewing the project, public involvement plan, and schedule. The HAP is already tracking as a separate item on the Planning Commission agenda.
- Capital Improvements Plan(CIP) – This will be an interesting year for the CIP due to economic shutdown and its related impacts going into the future. Staff will be working with the Finance Department to bring forward potential changes to the CIP. There will likely be changes to the project lists and schedule adjustments.
- Land Use Map Changes – Harbor Heights Property – This is the 70 acre tract that the City acquired at the west terminus of Gun Club Road. The land is currently designated as a Planned Industrial Park (PIP) and will need to be redesignated as Public Facilities to accommodate the plans for a park/recreation facilities. The process of considering this change will include notifying neighboring properties. The Parks Department is hiring a consultant to help in developing a conceptual plan for the area and eventually providing design services for the first phase of the development.
- Joint Planning Area (JPA) - The City and the County initiated a process to discuss the current JPA and potential changes. The County has this item on their 2020 docket. As with all other things, COVID 19 restrictions have impacted the normal progress of these

discussions. There have also been personnel shifts and changes in Island County since COVID 19. Staff is in communication with Island County on this topic and will provide updates.

**RECOMMENDED ACTION**

This is an update and no action is required.

**ATTACHMENTS**

None