

MEETING NOTICE

TOWN OF LA CONNER PLANNING COMMISSION

Tuesday, December 20, 2022 6:00 p.m.

Location

Lower Maple Center
104 Commercial Street, La Conner, WA
And by Zoom
Information below and on the Town website

Agenda

1. CONVENE
2. PUBLIC COMMENT (Topics not otherwise on the Agenda) – Time Limit 3 Minutes
3. MINUTES
 - ❑ Approve minutes from the October 18, 2022 meeting
4. OLD BUSINESS
 - Status Report: 306 Center Street
5. NEW BUSINESS
 - Staff Presentation on 2023-2025 Comprehensive Plan Update
6. CLOSING COMMENTS

Join Zoom Meeting

<https://us02web.zoom.us/j/87162505257?pwd=UIU2eDhuTFJuRi9DTzBiWnVQbi9Edz09>

Meeting ID: 871 6250 5257

Passcode: sL9k04

One tap mobile

+12532158782,,82603637731#,,,,*072231# US (Tacoma)

Dial by your location

+1 253 215 8782 US (Tacoma)

Meeting ID: 871 6250 5257

Passcode: 219156

Find your local number: <https://us02web.zoom.us/u/kdFH3pJ7sp>

PLANNING COMMISSION MEETING

October 18, 2022

The meeting of the La Conner Planning Commission was called to order at 6:00 p.m.
Commissioners present: Chair Carol Hedlin, Bruce Bradburn, Carol Hedlin, Liz Theaker and John Leaver.

Commissioner's Absent: Chair Marna Hanneman

Staff Present: Planner Michael Davolio

PUBLIC COMMENTS:

Linda Z. Talman presented written comments, asking the Commission to hold a series of "special meetings" in upcoming months. She suggested the meetings would not cost the town anything, because the planner would not be present. Ms. Talman's written comments included a proposed agenda for the special meetings.

Other citizens in attendance supported Ms. Talman's proposal.

Commissioner Liz Theaker left the meeting early due to family reasons.

After discussions, it was not the consensus of the Planning Commission to schedule a special meeting on November 1, 2022.

Commissioner Leaver moved to approve to hold a special meeting on November 1, 2022 to discuss 2023 code amendments. Motion seconded by Commissioner Hedlin. Motion carried 2/1 with Commissioner Bradburn voting nay.

Minutes from the September 20, 2022, Regular Meeting.

Commissioner Bradburn moved to approve the minutes of the September 20, 2022, regular meeting. Motion seconded by Commissioner Leaver. Motion carried 3/0.

Minutes from the October 3, 2022 Special Meeting.

Commissioner Leaver moved to approve the minutes of the October 3, 2022, Special Meeting. Motion seconded by Commissioner Bradburn. Motion carried 3/0.

Minutes from the October 4, 2022 Special Meeting.

Commissioner Leaver moved to approve the minutes of the October 4, 2022, Special Meeting. Motion seconded by Commissioner Bradburn. Motion carried 3/0.

OLD BUSINESS:

Planner Davolio presented responses to questions asked at an earlier meeting about impact fees. Discussions included impact fee reductions for low-income housing,

Commissioner Leaver moved to approve amending the draft impact fee ordinance to allow for a 50% reduction of impact fees for developers of low-income housing.

Motion seconded by Commissioner Bradburn. The motion carried 3/0.

NEW BUSINESS:

Public Hearing - 213 Calhoun Street Historical Design Review

Opened at 6:43 pm

The Commission held a Public Hearing to consider a Historic Design Review application submitted by Keith and Sylvia Padgett for their property located at 213 Calhoun Street. Planner Davolio summarized his staff report on the application. Sylvia Padgett described the improvements proposed. One person from the audience spoke in support of the application.

Public Hearing Closed at 6:54

Commissioner Bradburn moved to approve the Historic Design Review for 213 Calhoun Street with the condition that the applicants provide color and materials samples to be reviewed and approved by the Town Planner. Motion seconded by Commissioner4 Leaver, Motion carried 3/0.

The meeting ended at 6:55.

Chair

Date

MEMORANDUM

TO: Planning Commission
FROM: Michael Davolio, AICP, Planning Director
Ajah Eills, Assistant Planner
SUBJECT: Comprehensive Plan Update
DATE: December 16, 2022

Starting in January, the town will begin a two-year process to update our Comprehensive Plan and development regulations. That process will involve a thorough review of each element of the existing plan, with updates to allow that plan to help guide the town into the next decade. Changes to development regulations will also be necessary to ensure internal and external consistency with the comprehensive plan. The current plan consists of ten chapters, with the newest chapter being the recently-adopted Parks and Recreation Element.

- Chapter 1 - Introduction
- Chapter 2 - Public Participation
- Chapter 3 - La Conner Profile
- Chapter 4 - Economic Development Element
- Chapter 5 - Land Use Element
- Chapter 6 - Housing Element
- Chapter 7 - Transportation Element
- Chapter 8 - Utilities Element
- Chapter 9 - Parks and Recreation Element
- Chapter 10 - Capital Facilities Element

This memorandum is intended to outline a work plan for the adoption of an updated Comprehensive Plan. It is the staff's desire to have this work plan reviewed and approved by the Planning Commission and the Town Council before work is begun.

Every city and town in Skagit County is required to update its Comprehensive Plan during this cycle. Part of the county's obligation will be to review each plan and determine whether the plans are consistent with countywide planning policies. Each completed plan will also undergo a review by the state's Department of Commerce to similarly determine whether the plan is consistent with the requirements of the Growth Management Act, including the multi-page checklist that the state has prepared as a guide. The legislature has amended the GMA recently, and all governments must conform their comprehensive plans and development regulations to the new requirements. For further information on Department of Commerce guidance on this subject, please go to <https://www.commerce.wa.gov/serving-communities/growth-management/guidebooks-and-resources/>.

Our update is expected to follow three general phases:

Phase 1: Initial Outreach and Internal Review 1st - 3rd quarter, 2023

Planning staff will solicit early input from the public, community groups, and interested parties on elements of the comprehensive plan, and review planning documents and development regulations for GMA compliance consistent with the tasks outlined in this Scope of Work. Staff will prepare an initial draft of updated plans.

Phase 2: Planning Commission Review 4th quarter, 2023 - 2nd quarter 2024

Necessary studies will be completed in the 4th quarter, 2023. The results of those studies will be incorporated into proposed revisions to the comprehensive plan. Additional amendments based on community input will also be distilled into amendatory language. Proposed revisions will be reviewed by the La Conner Planning Commission, and a recommendation made to the Council, following public hearings.

Phase 3: Council Review and Adoption 3rd - 4th quarter, 2024

This process will include public hearings, and a full description and analysis of the public participation efforts used in the drafting of the plan.

Chapter 1, Introduction.

This chapter summarizes the various elements of the plan, and the town's intent with regard to approaching each element. The basic outline can be completed relatively quickly, and updated or amended as needed as we go through the process.

Chapter 2, Public Participation.

We believe this to be a critical element of the plan. We believe it is important to solicit input from different sources, including the public, community groups, the business community, public agencies, and other community members that will be impacted by changes. We are particularly interested in adequately including the voices and perspectives of certain communities of color, non-native English speakers, residents of modest means, and young people, many of whom have been excluded in the past. We will also encourage the participation of local tribal members.

We will begin by encouraging the public to work with us in the development of public participation opportunities. Those opportunities may include open houses, mini-surveys, community discussions, public meetings and hearings, and other methods that may be suggested. It is essential that this plan reflect the views of the public, to the extent that those views are consistent with countywide planning policies and the GMA.

A draft outline of this element should be completed by April of 2023, with updates throughout the process.

Chapter 3, La Conner Profile.

This element offers a brief history of the town. It will be reviewed for accuracy.

Chapter 4, Economic Development Element.

This element currently identifies six goals and related policies intended to promote the town's economy. The focus is largely on tourism. We will rely on the public participation process to ensure that element accurately reflects the town's economic goals.

Chapter 5, Land Use Element.

The Land Use Element forms the foundation for the entire comprehensive plan. Its goals and policies are closely related to every other element, especially the Housing Element. Both land use and housing will rely to a significant extent to the population and demographic projections to be provided by the state and the county after their review of the 2020 decennial census. No serious work on either of these elements may begin until the town has received these projections.

During the update process, the staff is hopeful that we will be able to include in the Land Use element a neighborhood plan of the current Commercial Transition Zone. We also anticipate that the Port of Skagit County will submit a neighborhood plan for their property that is currently zoned for commercial use.

Chapter 6, Housing Element.

As noted above, this element will require data from the state before work can be completed. In 2022, the town began to look at housing from some different perspectives. We anticipate that this update will focus on the town's ability to promote affordable housing, low-cost housing, and housing for local employees.

Chapter 7, Transportation Element.

As the existing Transportation Element was recently updated in 2021, this element can likely stand largely on its own. However, in relation to the Land Use and Economic Development elements, we recognize a need to amend this element by undertaking a parking study of the town's commercial areas. This study will document and evaluate current parking capacity, project future needs, and suggest ways to address identified needs.

Chapter 8, Utilities Element.

This chapter will be updated to reflect current and anticipated capacity of the town's utilities.

Chapter 9, Parks and Recreation Element.

As this element was adopted in 2023, no update is anticipated.

Chapter 10, Capital Facilities Element.

This element is updated annually to reflect the town's capital facilities needs.

Development regulation updates will also be a part of this process. Several public requests have already been made, and we anticipate others to be made before the January 31, 2023 deadline. Those requests will be provided to you separately. In addition, the staff will continue its review of the code as it is applied, and make recommendations as needed. One item of note is that the town currently has no regulations related to adult businesses. According to court decisions, this omission suggests that these unregulated uses may be permitted within the community. We will include the regulation of adult businesses in our next code update.

The Planning Commission is requested to review this material and recommend approval of this work plan to the Town Council.

Attached to this memorandum are related documents that may be helpful.

Appendices:

- I. Town Administrator's Report on Population and Planning
- II. GMA Update Memo



Town of La Conner

To: Town Council
Planning Commission

From: Scott G. Thomas, Town Attorney

Subject: Population and Planning

We would like to follow up on comments made in the Oct 2022, Administrator's Report concerning population projections that local governments planning under the Growth Management Act will soon receive from the state, and how those projections will be used locally. The population projections may potentially have significant consequences for the Town, and so an understanding of those impacts will allow the Town to make qualitative adjustments to its comprehensive plan.

First, the state Growth Management Act ("GMA") directs local jurisdictions to plan for expected population increases. RCW 36.70A.115 provides in pertinent part,

(1) Counties and cities that are required or choose to plan under [the GMA] shall ensure that, taken collectively, adoption of and amendments to their comprehensive plans and/or development regulations provide sufficient capacity of land suitable for development within their jurisdictions to accommodate their allocated housing and employment growth, including the accommodation of, as appropriate, the medical, governmental, educational, institutional, commercial, and industrial facilities related to such growth, as adopted in the applicable countywide planning policies and consistent with the twenty-year population forecast from the office of financial management.

The development of population projections is a shared responsibility. As directed by the statute quoted above, OFM prepares a range of possible population growth for Washington counties. Twenty-year growth projections are developed every five years. County officials, also by law, are responsible for selecting a 20-year GMA planning target from within the range of high and low projections prepared by OFM; then within each county, population planning targets for cities, towns, and unincorporated areas are developed among all affected local jurisdictions as part of the city and county planning process. Based on OFM population projections, UGAs and zoning densities within them should be set to permit urban growth that is projected to occur in the county or city over the next 20 years. According to OFM, Washington's population grew by 158,100 people since the 2020 decennial census, largely due to

migration. This means Washington grew to an estimated 7,864,400 people as of April 1, 2022. Based on the 2020 census, La Conner's population was 965 people in 2020, and estimated to be 980 in 2022.

Here in Skagit County, the county, cities and towns have entered into an interlocal agreement that establishes a formal process to develop county-wide planning policies. Pursuant to RCW 36.70A.210, the Skagit County Countywide Planning Policies ("CPPs") establish a countywide framework for developing county, city and town comprehensive plans. All elements of each jurisdiction's comprehensive plan, including maps and procedures, must comply with the CPPs, as well as all comprehensive plan amendments. Moreover, and as required by RCW 36.70A.120, activities and capital budgeting decisions made by Skagit County, and all cities and towns located within the county, must be made in conformity with the locally adopted comprehensive plan.

CPP 1.2 provides that "Cities and towns and their urban growth areas, and non-municipal urban growth areas . . . , shall include areas and densities sufficient to accommodate as a target 80% of the county's 20-year population projection." This policy reflects the consensus determination to direct the majority of growth to cities and towns so as to protect agricultural and natural resource lands. CPP 1.7 goes on to provide that, "The baseline for 20-year countywide population forecasts shall be the official Growth Management Act Population Projections from the State of Washington's Office of Financial Management. The Growth Management Act Technical Advisory Committee ("Planners Committee") shall recommend the process for allocating forecasted population and employment, which shall be cooperatively reviewed by the Growth Management Act Steering Committee ("GMASC"), consistent with the 2002 Framework Agreement." Taken together, and in plain English, this means that OFM will provide population projections to the County later this year, and the professional planners throughout the County will review those projections and recommend to the County GMA Steering Committee the population forecast for the County and each jurisdiction within the County. The planners have historically recommended that the GMA Steering Committee adopt a population growth rate near or at the median between OFM's high and low population projections, which has proven to be accurate over the years. However, with populations increasing both north and south of Skagit County, and with telecommunication improvements allowing more workers to work remotely, there can be no assurance that the planners committee or the GMA Steering Committee will continue to adopt the median figure.

In addition to the OFM population projections, the state Department of Commerce will provide county-wide projections of housing needs, broken down into the categories of moderate, low, very low and extremely low-income population groups. During the 2021 legislative session the Washington Legislature passed House Bill 1220, which amended the GMA by directing local governments to "plan for and accommodate housing affordable to all economic segments of the population of the state." The GMA now requires local governments to include an inventory and analysis of the projected housing needs for moderate, low, very low and extremely low-income population groups in the housing element of their comprehensive plans, as well as projected needs for permanent supportive housing, emergency housing and emergency shelters. In its draft projection, Commerce estimates that there will be a need for 20,398 new housing units in Skagit County by 2044, based on a projected population of 171,405 (the U.S. Census Bureau's estimate for the population of Skagit County as of July 1, 2021 was 130,696.)

These projections are based on data collected in 2017, which will be updated with 2022 data in January, 2023. So in other words, we can expect housing needs to increase.

Finally, I am sure it will come as no surprise that housing costs have increased significantly. The median home price in Skagit County increased by 30.2% over the past year, according to a Northwest Multiple Listing Service report released in May 2022. At the end of April, the median price for homes and condos in Skagit County was \$592,500 compared to \$455,000 in April 2021, according to the report. In 2022 alone, the average home price has increased by 11.9%. La Conner saw an increase of 38.6% in median price since April 2021, ranking highest among all Skagit County cities and towns.



Town of La Conner

Date: November 2, 2022

To: Town Council
Planning Commission

From: Scott G. Thomas, Town Attorney
Michael Davolio, Planning Director

Subject: GMA Update

In light of the recent discussions by the Planning Commission and the Town Council regarding community discussions concerning proposed revisions to the comprehensive plan and development regulations, I thought it would be timely to foreshadow our evolving plans on the upcoming comprehensive plan review and update that must be completed by 2025. Although that end date sounds as though it is far off in the distance, the truth of the matter is that there is a considerable amount of work to be accomplished. There have been several changes in state law since the last time La Conner's comprehensive plan and development regulations were reviewed – so many, in fact, that the Growth Management Services Division of the State Department of Commerce, which provides support to local governments on GMA issues, has developed a 32-page checklist for communities to consult in updating their plans so that they can be certain that they have covered all of the required topics that will be reviewed by Commerce. We are fortunate that the communities of the Central Puget Sound are obligated to complete their comprehensive plan updates by the end of 2024, six months ahead of our deadline; those communities started their work this year, and there are many examples of good work to draw from. That said, La Conner's update will be necessarily unique to La Conner and so those examples go only so far.

Our current thinking is that the update will be comprised of four general phases: (1) Introduction and Coordination; (2) Initial Outreach and Internal Review; (3) Planning Commission Review; and (4) Council Review and Adoption. One of the first steps will be to develop a work plan based on Commerce's checklist, that breaks down the project into its constituent elements. We will present the workplan for adoption by the Council during the first phase.

As we all recognize, community discussion is important. Several groups have already approached the Town, voicing a desire to provide input. At the same time, we believe it is important to solicit input from

different sources, including the public, community groups, the business community, faith communities, public agencies, and other community members that will be impacted by changes. We are particularly interested in adequately including the voices and perspectives of communities of color, non-native English speakers, residents of modest means, and young people, all of whom have been excluded in the past. The GMA mandates the development of a community outreach component, and La Conner's current comprehensive plan includes such an element. However, that plan is now dated and must be revised to address the forms of communication that are now prevalent, including social media. Fortunately, the communities to the South have developed a variety of outreach mechanisms that we can examine and see if they will work here, including community surveys, open houses, coffee talks, presentations to community groups, and others.

The update process will have budget implications, particularly if the Town decides to conduct studies on any particular issue(s). For example, parking continues to be a topic of concern. The Town may wish to retain a consultant to prepare a parking study that will help the Town determine the optimal levels of parking. Grant funding will be made available through the Department of Commerce in Spring, 2023, and the Town will attempt to secure a grant.

