



Anacortes City Council
Municipal Building Council Chambers
904 Sixth Street

June 27, 2016
6:00 p.m.

PRELIMINARY AGENDA

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Announcements and Committee Reports**
 - a. Finance Committee
 - b. Planning Committee
4. **Public Comment**
5. **Consent Agenda (Action)**
 - a. Minutes of June 20, 2016
 - b. Approval of Claims in the amount of: \$252,018.67
 - c. Resolution 1965: Temporarily Closing Multiple Roads in Skyline between June 28, 2016 and July 8, 2016
6. **Public Hearings**
 - a. * Continued Public Hearing: 2016 Comprehensive Plan Update (Discussion)
7. **Other Business**
 - a. * Ordinance 2981: Adoption of 2015 Building Codes (Action)
 - b. * Alton R. Daniels Field - Volunteer Park - Artificial Turf Update (Discussion)
 - c. Findings of Fact, Conclusion of Law and Decision Associated with the Denial of the Appeal of 38th Street Short Plat and Affirming the Administrator's Tentative Preliminary Approval, SPL-2015-0006 (Action)
8. **Adjournment**

Per Resolution 1949, citizens wishing to comment on items not on the agenda may do so under the Public Comment portion of the agenda. Citizens wishing to comment on agenda items indicated with an asterisk () may do so as those items are considered by Council during the course of the meeting. Citizens wishing to speak will please sign in at the back of the Council Chambers prior to the start of the meeting. The Mayor may limit comments to those who have signed in, and may limit the time allotted to each speaker to facilitate the orderly progress of the meeting.*

The City of Anacortes encourages people with disabilities to participate in public meetings.
For assistance with special needs, please contact Cherri Kahns at 360-299-1950 at least 48 hours prior to this meeting.



Anacortes City Council

Proposed Agenda Items for the Next Eight Weeks Beginning July 5, 2016

Subjects listed below have been tentatively suggested for consideration by the Anacortes City Council on the dates indicated. Items may be added to, removed from or rearranged on this list. Routine business such as approval of minutes, vouchers and consent agenda items is not included. The complete Preliminary Agenda for each meeting is published at 3:00 on the Wednesday prior to the meeting. Published Agendas are subject to change and may be updated following the posting period. For additional information on agenda topics, please contact the City Clerk's office at 360-299-1960 to be directed to the sponsoring staff member.

July 5, 2016

- 2016 Comprehensive Plan Update: Final Review/Draft Ordinance
- Resolution 1946 (Version 7): Setting Fire Protection LOS Standard and Budget/Revenue Allocation (Action)

Executive Session (15 Minutes) per RCW 42.30.110 (b, c) : Potential Real Estate Transaction

July 11, 2016

Executive Session (2 Hours) per RCW 42.30.110 (b, c) : Potential Real Estate Transaction

July 18, 2016

- Public Hearing: Ordinance 2979/Resolution 1963: Stormwater Utility Monthly User Fee Rate and Code Update (Discussion/Possible Action)
- Ordinance ____: Adopting 2016 Comprehensive Plan
- Solar Grant Update (Discussion/Possible Action)
- Fire Equipment Rental Fund - Non Fueled Equipment (Policy)
- Tourism Promotion Planning Committee Strategic Plan Presentation (Discussion/Possible Action)
- Finance Update (Discussion)

July 25, 2016

- Medical Marijuana Update (Discussion)

August 1, 2016

- Update: Hazardous Materials Response and LOS for Anacortes

August 8, 2016

August 15, 2016

August 22, 2016

Upcoming City Council Committee Meetings

The public is welcome to attend City Council Committee Meetings.

- Planning, Monday, Jun 27, 2016, 5:00 PM, Main Floor Conference Room (Parks Office)
- Public Works, Tuesday, Jul 5, 2016, 5:00 PM, Public Works Director's Office
- Public Safety, Tuesday, Jul 5, 2016, 5:00 PM, Main Floor Conference Room (Parks Office)
- Housing Affordability and Community Services, Thursday, Jul 7, 2016, 1:30 PM, Main Floor Conference Room (Parks Office)
- Planning, Monday, Jul 11, 2016, 5:00 PM, Main Floor Conference Room (Parks Office)
- Finance, Wednesday, Jul 13, 2016, 5:00 PM, Johnny Picasso's, 501 Commercial Avenue
- Personnel, Monday, Jul 18, 2016, 5:00 PM, Main Floor Conference Room (Parks Office)

City Council Minutes – June 20, 2016

Mayor Laurie Gere called to order the regular Anacortes City Council meeting of June 20, 2016 at 6:00 p.m. Councilmembers Eric Johnson, Ryan Walters, Erica Pickett, Brad Adams, Liz Lovelett, John Archibald and Matt Miller were present. The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Appointment of Housing Authority Board Members: Mayor Gere announced her appointment of Patrick O'Hearn and Brian Gentry to the Anacortes Housing Authority Board. She introduced both of the appointees.

Tourism Promotion & Strategic Planning Committee Report: Mr. Walters reported that the committee had drafted the tourism promotion strategic plan and would present it to full Council at an upcoming meeting. He advised that the committee would be reviewing the LTAC application for potential revisions prior to the next grant cycle. He reminded that Lodging Tax Advisory Committee members needed to be appointed for the current year, including one member of the City Council or the mayor to replace Mr. Walters on that committee.

Public Works Committee Report: Mr. Johnson reported from the committee meeting earlier in the evening. He advised that storm utility rates would be discussed before Council in July, that the cheapest solution to the 3MG rehabilitation may be to build two 1.5MG tanks of steel based on lifecycle costs, that the Public Works department was preparing a FAQ on water quality, that extensive public outreach was underway for the slurry seal project coming up in Skyline, and that the committee recommended using \$500K from each of the water, sewer and general fund cash reserves in 2017/2018 towards a municipal broadband fiber optic network.

Public Comment

Stephanie Hamilton, 4412 Glasgow Way, Executive Director of the Anacortes Chamber of Commerce, announced the Anacortes in Bloom contest sponsored for the summer by the Chamber Beautification Committee. She said the winners would receive \$50 gift certificates to D Avenue Nursery or Ace Hardware.

Consent Agenda

Ms. Pickett removed Item 5b, Approval of Claims, from the Consent Agenda.

Mr. Johnson moved, seconded by Mr. Adams, to approve the following Consent Agenda items. The motion passed unanimously by voice vote.

- a. Minutes of June 13, 2016 and June 14, 2016
- c. Street Fair Applications: 4th of July Parade, Anacortes Arts Festival, Anacortes High School Homecoming Parade, Fueling Education Fun Run
- b. Approval of Claims in the amount of: \$308,189.60

Ms. Pickett asked about the \$11,550 expenditure for an actuarial valuation report. City Attorney Darcy Swetnam explained that an actuarial study is a State Auditor's Office requirement for the Firemen's Pension Fund. Ms. Pickett then moved, seconded by Mr. Miller, to approve agenda item 5b, Approval of Claims. The motion passed unanimously by voice vote.

The following vouchers/checks were approved for payment:

Voucher (check) numbers: 80873 through 80981, total \$257,818.76
EFT numbers: 204979 through 205153, total \$4,530.44

PUBLIC HEARINGS

Public Hearing: 2016 Comprehensive Plan Update

Planning Manager Libby Grage introduced the first of two public hearings on the final draft of the 2016 Comprehensive Plan. She summarized the recent history of revisions to the draft following over a year of public input and advised that a track changes version of the latest draft was available on the city website, along with the 228 public comments received to date. She advised that after the close of the public hearing on June 27, 2016 staff would prepare any last changes directed by Council, then bring forward an adopting ordinance for review and action.

At approximately 6:15 p.m. Mayor Gere opened the public hearing.

Vince Oliver, Island Hospital CEO, spoke to the hospital's request for a Medical Overlay from M Avenue to Commercial Avenue between 24th to 26th Streets in conformance with the IH2035 master plan. Mr. Oliver said by 2035 the hospital would need additional building space toward Commercial Avenue. He emphasized that the proposed overlay did not remove any currently allowed uses for the area, only added to those uses. He said the overlay would allow the hospital to purchase property in that area as it became available with confidence that it could be devoted to medical uses rather than retail. Mr. Oliver said medical facilities generate five times the number of jobs compared to traditional small businesses. He said the hospital would work collaboratively with the design development process to ensure future medical buildings would be offset with appropriate parking lots. Mr. Oliver encouraged Council to approve the draft comprehensive plan. Ms. Lovelett asked Mr. Oliver why the overlay needed to extend all the way to Commercial Avenue and could not stop at the alley west of Commercial Avenue. Mr. Oliver said the hospital needed more space than that and already owned two lots on Commercial Avenue. Mayor Gere asked what population projections drive the IH2035 plan. Mr. Oliver said the current facility would likely need to expand within ten years, particularly its outpatient services. He noted the need for more physicians to serve not just Anacortes but the larger hospital service area which includes Whidbey and the San Juan Islands. Ms. Pickett objected that land owned by the hospital district is exempt from property tax and that land on Commercial Avenue costs twice as much as land directly south of the hospital so taxpayers would pay much higher costs if the hospital campus expanded east rather than south. Mr. Oliver explained the hospital's strong desire to constrain its expansion to the campus between 24th and 26th Streets and the safety reasons for not bifurcating the campus with through streets. He acknowledged that new medical buildings have been built outside the proposed overlay area but said those are all privately owned and suggested that there will be fewer independent physicians in the future as more and more of them opt to locate on the hospital campus. In response to a question from Ms. Lovelett, Planning Director Don Measamer quoted the Medical Overlay language on page I-19 of the draft plan and said it could take six months to a year to work out the details as part of the development regulations after the comprehensive plan was adopted.

Stephanie Hamilton, Executive Director of the Anacortes Chamber of Commerce, reiterated written comments submitted by the Chamber's Economic and Community Development Division on June 17, 2016. She urged removing Policy U-8.8 regarding limits on water sales to water resellers. Regarding Policy ED-3.2, she questioned why the language regarding partnership with the Chamber had been removed and suggested adding back in "*Actively work with business and tourism associations as well as other local organizations to establish a brand for Anacortes as a recognizable tourist destination.*" Ms. Hamilton said proposed Policy ED-3.3 and ED-8.2 both call for expensive new city initiatives that would duplicate services already provided by other organizations. Ms. Hamilton objected to proposed Policy ED-4.7 regarding future desired uses at the March Point refineries and suggested new language about fostering a local business climate that supports the long-term economic competitiveness of the March Point refineries, acknowledging the critical role the refineries play in supporting the local economy. Finally, Ms. Hamilton suggested that proposed Goal LU-9.7 regarding industrial and manufacturing development should be consistent with both the Environment and Conservation *and* the Economic Development elements of the comprehensive plan.

Tom Hawkins, 5003 Dundee Drive, representing the Skyline Property Owners Association Architectural Committee, reiterated written comments submitted by the committee on February 8, 2016. Mr. Hawkins

observed that in the R2 zone, which encompasses all of Skyline, the proposed plan would increase density and allow duplexes by conditional use permit. Mr. Hawkins reported that the Skyline CCRs, uniformly, do not allow duplexes. He said that while CCRs can be more restrictive than city code, the code change could result in many new requests for duplexes which the committee would have to process and deny. Mr. Hawkins asked that this change not apply to Skyline. Mr. Measamer reassured Mr. Hawkins that page I-16 specifically called for exploring the option of 6,000 SF lots in the R2 zone *east of Anacopper Mine Road*. Mr. Hawkins discussed with councilmembers the current options for construction mother-in-law apartments in Skyline and the prohibition on renting them out.

Dr. Erika McPhee-Shaw, 2301 Oregon Avenue, Director of Shannon Point Marine Center of Western Washington University, mentioned her written comments submitted earlier in the day on behalf of the Center but said she now wished to address Council from her personal perspective as a citizen and committed resident of Anacortes. Dr. McPhee-Shaw praised the sense of place that permeates the draft plan, the work to balance growth, and the effort to create and protect the environment and public access to the forestlands and waterfront. She thanked Council for the emphasis on making Anacortes more pedestrian friendly and bicycle friendly. Dr. McPhee-Shaw said that since a medical condition has made her temporarily unable to drive she has discovered that Anacortes is a hard place to live without a car. She encourage making streets more accessible and safer for pedestrians and reported how difficult it is to cross south Commercial Avenue as a pedestrian. She also urged considering more emphasis on regional retail, noting it was difficult to meet basic retail needs without a car without resorting to internet purchases.

Bob Hogan, 3616 W 10th Street, referred councilmembers to written comments submitted by five of the six neighboring families in Cranberry Heights, expressing concern that the proposed reduction in lot size in the R2 zone would dramatically change the feel of their subdivision and decrease their property values. Mr. Hogan said the Planning Commission had previously rejected a developer's proposal to build smaller homes across the street from Cranberry Heights and he did not want the proposed changes in the 2016 Comprehensive Plan to reverse that decision.

Wilhelmus Houppermans, 3412 K Avenue, responded to earlier comments by Ms. Hamilton. He said he was not concerned about constraints on local brewery expansion; he said the city has a responsibility to use its large water right responsibly and praised inclusion of that topic in the comprehensive plan update. Mr. Houppermans also responded to comments about the long term profitability of the refineries. He said the future will have to use a lot less oil and that the city should look at how to make better use of land on March Point and how to achieve that transition reasonably and justly over the next 30 years.

No one else present wished to address the Council.

Mayor Gere invited additional public comment at the second evening of the advertised public hearing on June 27, 2016 and said Council would then consider adoption of the updated plan by ordinance.

OTHER BUSINESS

Ordinance 2981: Adoption of 2015 Building Codes

Planning Director Don Measamer introduced Ordinance 2981 to amend AMC Chapter 15.05 to adopt current International Building Codes. Mr. Measamer explained that the Washington State Building Code Council would implement the new codes effective July 1. He said the proposed ordinance would adopt two codes not previously adopted by Anacortes, the International Wildland - Urban Interface Code and the International Property Maintenance Code, and explained the rationale for those additions. He added that both Washington State and Anacortes would continue to exempt single family residential structures from fire sprinkler requirements. He recommended adoption of Ordinance 2981.

Mr. Walters established with Mr. Measamer that the International Code for the Abatement of Dangerous Buildings, AMC 15.05.050, could and should be replaced by the new International Property Maintenance Code. Mr. Measamer responded to councilmember questions about sprinkler requirements and the

potential for conflicts between the International Wildland - Urban Interface Code and current city code regarding Native Growth Protection Easements. Mr. Miller said he did not see a conflict in the latter case.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Mr. Walters moved, seconded by Mr. Archibald, to adopt Ordinance 2981 with one change from the version presented in the evening's packet materials: the deletion of AMC 15.05.050.

Mr. Johnson requested a version of the ordinance marked to show revisions from the current code and spoke in favor of postponing action for additional public input, reminding his colleagues that two readings of an ordinance were required by Council procedures. Mr. Walters endorsed the two read rule but noted the statutory requirement to adopt the new building codes by the end of June. Mr. Walters moved, seconded by Ms. Lovelett, to postpone consideration of the motion for one week. Vote: Ayes – Walters, Pickett, Adams, Lovelett and Johnson. Nays – Archibald and Miller. Motion carried.

There being no further business, at approximately 7:26 p.m. the Anacortes City Council meeting of June 20, 2016 was adjourned.

The following claims against the City of Anacortes have been preaudited and certified by the Clerk-Treasurer as ready for City Council approval at the June 27, 2016 City Council meeting:
[Download this file in OpenDocument spreadsheet format.](#)

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
200740	2/2/2016	Order	04831	T-SHIRTS BY DESIGN	ANNUAL UNIFORMS: T-SHIRT, HATS AND	\$1,418.10
204077	5/12/2016	3463969	00973	FISHER SCIENTIFIC	MAIN POWER CIRCUIT BREAKER	\$148.36
204346	5/18/2016	Order	02199	PUGET SAFETY EQUIPMENT	VINYL LABLES FOR WWTP CHEMICAL	\$774.22
204501	5/25/2016	Veh licensing	00765	DEPARTMENT OF LICENSING	LICENSING VEHICLE #609	\$182.00
204726	6/10/2016	14236260	01004	FOWLER COMPANY INC, H D	3/4" FORD MIP X 1" INSERT ADAPTER	\$2,427.33
204729	6/10/2016	47593/2	06246	H.B. JAEGER	1" X 300 ' REHAU MUNICIPEX PIPE	\$1,469.87
204744	6/1/2016	7004	06421	BEST BUY ADVANTAGE ACCOUNT	VIZIO E55-00 SMARTCAST TV (BELLINGHAM	\$619.58
204745	6/1/2016	7004	06421	BEST BUY ADVANTAGE ACCOUNT	MYWIRELESSTV2 KIT FOR WWTP	\$216.99
204821	6/3/2016	5403640176	02813	UNITED STATES POSTAL SERVICE	POSTAGE	\$7.97
204897	5/28/2016	9766176698	02879	VERIZON WIRELESS	WIRELESS CHARGES 4/29-5/28	\$9,022.43
204903	5/26/2016	108-0972893-3547440	08811	AMAZON.COM	SOLAR SWING MONKEY - FOR GUEP OUTREACH	\$39.88
204909	5/26/2016	108-5547715-3494613	08811	AMAZON.COM	MINI SOLAR POWER ROBOT CAR - GUEP	\$28.60
204911	5/26/2016	108-0261860-9736221	08811	AMAZON.COM	MINI SOLAR DIY SOLAR CAR	\$7.71
204915	5/26/2016	108-9150455-6823467	08811	AMAZON.COM	SOLAR POWERED GRASSHOPPERS - GUEP	\$7.00
204916	5/26/2016	108-9503967-2199407	08811	AMAZON.COM	LANLAN SOLAR CAR - GUEP OUTREACH	\$1.96
205015	6/8/2016	0125501-POS	00306	BAYSHORE OFFICE PRODUCTS	FOAM CORE BOARD AND PENS	\$28.84
205017	6/9/2016	106-4935856-0409033	08811	AMAZON.COM	INSULATED HEAT SHRINK BUTT CONNECTORS	\$12.59
205069	6/1/2016	200012505505	02192	PUGET SOUND ENERGY	WTP ELECTRICITY	\$89,103.03
205071	6/1/2016	248 984 6277 5	00494	CASCADE NATURAL GAS CORP.	WTP NATURAL GAS USE 4/28/16-5/31/16	\$1,279.12
205074	6/1/2016	140324-2	00355	BIRCH EQUIPMENT CO INC	BOOM LIFT RENTAL FOR FILTER WINDOWS CLEANING	\$1,095.85
205077	6/8/2016	SORD1436482	07456	CABLEORGANIZER.COM, INC - USA	CM20 STRAIGHT SECTION 12" X 4" X 24"	\$28.62
205080	6/2/2016	2502084389	01232	HEWLETT PACKARD ENTERPRISE CO.	NETWORK SWITCHES	\$8,699.51
205082	6/13/2016	Order	06422	NURNBERG SCIENTIFIC GROUP	PIPETS, SODIUM HYDROXIDE, PIPET TIPS	\$366.73

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
205091	6/1/2016	205472	02552	PAPE' MACHINERY ACCT 4437	HYDRAULIC PUMP	\$9,240.29
205109	6/7/2016	SO2316271	01057	GEMPLER'S INC	PICKUP TOOLS FOR WORK PARTY	\$230.27
205118	6/6/2016	22627	09242	US CRANE & HOIST INC	ANNUAL INSPECTION OF WTP CRANES	\$3,178.51
205119	6/8/2016	691147	01421	JCI JONES CHEMICALS INC	CHLORINE	\$5,850.00
205120	6/1/2016	91833271	01061	CHEMTRADE SOLUTIONS LLC	ALUM	\$6,007.37
205135	6/14/2016	Pay Application 1	06826	ASPHALT QUALITY SEALERS	2016 SLURRY SEAL REPAIR/PREPARATION	\$25,895.90
205140	6/14/2016	EMC 0525-26 2016	07236	DOEBLER, STEPHEN	PARKING AT THE ENERGY MANAGEMENT CONVENTION	\$42.00
205149	6/13/2016	300000005235	02192	PUGET SOUND ENERGY	RESERVOIR & PUMP STATION ELECTRICITY	\$3,440.86
205186	6/15/2016	106-3902051- 2114668	08811	AMAZON.COM	AC ADAPTER CHARGER FOR SHOP	\$16.26
205187	6/14/2016	106-6551023- 7569825	08811	AMAZON.COM	LARGE LED CLOCK W/INDOOR TEMP	\$74.11
205191	6/14/2016	001-338864	02109	PISTON SERVICE OF ANACORTES	PARTS FOR VEH #403	\$52.15
205192	6/13/2016	001-338677	02109	PISTON SERVICE OF ANACORTES	PART FOR VEH #857	\$12.16
205193	6/9/2016	289619	02549	SMILEY'S INC	PART FOR VEH #857	\$253.08
205194	6/11/2016	MV139375	01801	MOTOR TRUCKS INC	PART FOR VEH #222	\$86.09
205195	6/13/2016	MV139433	01801	MOTOR TRUCKS INC	PART FOR VEH #522	\$66.44
205196	6/7/2016	15523	06562	WESTERN SYSTEMS REFUSE &	PARTS FOR VEH #571	\$534.91
205197	6/15/2016	052-0010-00	00147	ANACORTES, CITY OF	OPERATIONS WATER/SEWER/GARBAGE	\$916.16
205198	5/30/2016	5418	01694	MCCORMACK'S CLASSIC CARS	SERVICE TO VEH #030A	\$1,296.30
205199	6/7/2016	1033754	09237	WASHINGTON TRACTOR	PART FOR VEH #15902A	\$121.52
205200	6/10/2016	300000000343	02192	PUGET SOUND ENERGY	ELECTRICITY-PARKS, CEM., F.C., C.H.,	\$4,206.39
205201	6/10/2016	CHAP61016	00536	CHAPMAN'S TOP & UPHOLSTERY	REPAIRS FOR VEH #213	\$151.90
205202	6/9/2016	1111873	02681	SURETY PEST CONTROL	CITY HALL MONTHLY PEST CONTROL SERVICE	\$43.40
205203	6/1/2016	658917	05284	GUARDIAN SECURITY SYSTEMS INC	CITY HALL ALARM MONITORING	\$179.03
205204	6/1/2016	658615	05284	GUARDIAN SECURITY SYSTEMS INC	FIDALGO CENTER ALARM MONITORING	\$179.03
205205	6/7/2016	78296	00369	BLYTHE PLUMBING & HEATING INC	REPLACEMENT CIRCULATION PUMP FOR CITY HALL	\$3,644.52
205206	6/1/2016	28832	05535	PROSCAPES INC	CITY HALL PARKING LOT MAINTENANCE	\$200.73
205207	6/15/2016	refund - warm	10201	WARM, SUSAN LAVELL	CANCELLED JUNE 22- WP GROUP PICNIC	\$35.00
205209	5/25/2016	WAANA82970	00939	FASTENAL CO	REPLACEMENT TOOLS	\$141.04
205210	5/20/2016	MAY44040000000	00494	CASCADE NATURAL GAS CORP.	NATURAL GAS BILL FOR FIDALGO	\$170.95

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
205211	6/11/2016	1397	06528	ECCOS DESIGN LLC	SITE DESING-UPDATE DRAWINGS-SPRAY PAD	\$712.00
205212	6/15/2016	A1118482	02405	SEBO'S DO-IT CENTER	FASTENERS	\$8.50
205213	6/15/2016	A1118565	02405	SEBO'S DO-IT CENTER	DUCT TAPE	\$27.67
205214	6/15/2016	B334447	02405	SEBO'S DO-IT CENTER	IRRIGATION - CEMETERY	\$6.57
205215	5/20/2016	MAY79570000004	00494	CASCADE NATURAL GAS CORP.	NATURAL GAS USE FOR CITY HALL	\$263.99
205216	6/15/2016	refundpicnic	10200	CHRIST THE KING CHURCH ANACORT	REFUND STORVIK PARK PICNIC RESERVATION	\$25.00
205217	6/14/2016	58187264	09231	RAINS, JAMES	CDL TANKER ENDORSEMENT FEE REIMBURSEMENT	\$12.00
205218	5/18/2016	889996/1	00021	ACE HARDWARE	FACILITY REPAIR ITEMS	\$34.92
205219	6/14/2016	58188868	09231	RAINS, JAMES	CDL TANKER ENDORSEMENT REIMBURSEMENT	\$12.00
205220	4/13/2016	58817	00947	FIDALGO POOL & FITNESS CENTER	POOL RENTAL FOR SAILING WATER SAFETY	\$285.00
205221	6/10/2016	11779	02670	SUNLAND BARK & TOPSOILS	RED BARK - ROUNDABOUT	\$157.87
205222	6/16/2016	June 2016	01511	KORTERUD, WAYNE D	INDIGENT SCREENING SERVICES JUNE 2016	\$375.00
205223	6/16/2016	June 2016	07723	SKAGIT LAW GROUP PLLC	PROSECUTING ATTORNEY SERVICES JUNE 2016	\$6,000.00
205224	3/23/2016	6001795150	09800	ENDRESS + HAUSER, INC	CHIP FOR MEASURING PERSENT SOLIDS AND	\$1,121.75
205225	6/9/2016	78489	00369	BLYTHE PLUMBING & HEATING INC	CITY HALL REPAIRS	\$926.94
205226	6/8/2016	1639	08957	WAPRO	WAPRO ANNUAL MEMBERSHIP DUES: YATES	\$25.00
205228	5/17/2016	23960	00156	ANACORTES PRINTING	PW OPERATIONS LETTERHEAD, ORDERED BY	\$195.30
205229	6/16/2016	0677764-001	00306	BAYSHORE OFFICE PRODUCTS	INDEPENDENCE DAY POSTERS	\$105.79
205230	6/14/2016	REIMBRay	09143	RAY, SCOTT	K9 T-BONE GROOMING	\$50.00
205231	5/11/2016	156231	00368	GALLS LLC - DBA BLUMENTHAL UNI	UNIFORM PATROL JACKET AND FLEECE; SGT PRUIETT	\$582.27
205232	5/11/2016	156188	00368	GALLS LLC - DBA BLUMENTHAL UNI	UNIFORM FLEECE JACKET; CORP. MICHAEL	\$197.31
205233	5/11/2016	156187	00368	GALLS LLC - DBA BLUMENTHAL UNI	UNIFORM JACKET-SHELL ONLY; DET. SGT. FULLER	\$403.19
205235	6/16/2016	061616	00955	FIDALGO CLEANING	CLEANING & SUPPLIES	\$576.00
205236	6/16/2016	1988647525	06718	ARAMARK	NYLON MATS CLEANED	\$16.28
205238	6/7/2016	11172	00148	ANACORTES CHAMBER OF COMMERCE	JUNE ARTWALK ADVERTISING FOR DEPOT AND	\$20.00
205239	6/16/2016	#2016-37	07208	PIGSKIN UNIFORMS	UNIFORM WINTER JUMPSUIT; OFC WAKEFIELD	\$575.05
205240	6/16/2016	a1118713	02405	SEBO'S DO-IT CENTER	SCRAPER, EDGER BLADE, PAINT - BASEBALL	\$26.23
205241	6/16/2016	A1118826	02405	SEBO'S DO-IT CENTER	LANDSCAPE FABRIC - WA PARK	\$38.31
205242	6/16/2016	A111880	02405	SEBO'S DO-IT CENTER	FASTENERS - STORVIK	\$5.53
205244	6/14/2016	76128	07368	HOSE SHOP INC, THE	PART FOR VEH #850	\$42.79
205245	6/16/2016	0176197	00950	FIDALGO BAY COFFEE COMPANY	COFFEE FOR OPS/PARKS - 10LBS	\$93.00

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
205247	6/16/2016	020-0280-00	10202	HADDOX, JUNE & RICHARD	REFUND - PAYMENT ON CLOSED ACCOUNT	\$12.33
205248	6/16/2016	040-1580-00	10203	DUPRE, LISA	REFUND - PAYMENT ON CLOSED ACCOUNT	\$151.74
205249	6/16/2016	050-0945-01	10204	MCKEE, BILLIE	REFUND - PAYMENT ON CLOSED ACCOUNT	\$104.84
205250	6/16/2016	052-0060-01	10205	SLEEPER, KARAH & SHAWN	REFUND - PAYMENT ON CLOSED ACCOUNT	\$97.53
205251	6/16/2016	052-4000-01	10206	TARLETON, JEFFREY & MICHELLE	REFUND - PAYMENT OF PRIOR BILL ON CLOSED ACCOUNT	\$77.38
205252	6/16/2016	060-2200-02	10207	THERKELSEN, MARY & ROBERT	REFUND - PAYMENT OF PRIOR BILL ON CLOSED ACCOUNT	\$202.35
205253	6/16/2016	091-3440-01	10208	ANCONA, MICHAEL & NADIA	REFUND - PAYMENT ON CLOSED ACCOUNT	\$64.13
205254	6/16/2016	110-2160-01	10209	LAMBERT, ESTATE OF DON	REFUND - PAYMENT OF PRIOR BILL ON CLOSED ACCOUNT	\$74.87
205255	6/16/2016	180-1680-00	10210	BACKLUND, CYNTHIA	REFUND - PAYMENT OF PRIOR BILL ON CLOSED ACCOUNT	\$163.63
205256	6/16/2016	380-0560-00	10211	LAYCOCK, DENISE	credit on account due to error on organics billing	\$107.30
205257	6/16/2016	070-2650-01	10212	BORGEN, CHRIS & KATHI	REFUND - PAYMENT OF PRIOR BILL ON CLOSED ACCOUNT	\$100.45
205258	6/16/2016	031-0080-01	10213	HESS, FREDRICK & RITA	REFUND - PAYMENT OF PRIOR BILL ON CLOSED ACCOUNT	\$90.27
205259	6/16/2016	143-0110-03	10214	CHRISTIE, DEBRA	REFUND - PAYMENT OF PRIOR BILL ON CLOSED ACCOUNT	\$83.16
205260	6/16/2016	130-0800-03	10215	O'TOOLE, KEVIN	REFUND - PAYMENT OF PRIOR BILL ON CLOSED ACCOUNT	\$113.14
205261	6/16/2016	143-5480-00	10216	GP ANACORTES LLC	REFUND - PAYMENT OF PRIOR BILL ON CLOSED ACCOUNT	\$20.46
205262	6/16/2016	144-1790-00	10217	ALLEN, PAMELA & THOMAS	REFUND - CREDIT FOR OVERPAYMENT ON CLOSED ACCOUNT	\$2.35
205263	6/16/2016	050-1890-00	10218	STRANDBERG CONSTRUCTION LLC	REFUND - PAYMENT OF PRIOR BILL ON CLOSED ACCOUNT	\$22.14
205264	6/16/2016	130-0220-02	10219	KNORR, ED	REFUND - PAYMENT OF PRIOR BILL ON CLOSED ACCOUNT	\$86.33
205266	6/16/2016	B334523	02405	SEBO'S DO-IT CENTER	REPAIR ITEMS FOR CITY HALL	\$58.19
205272	6/13/2016	891956/1	00021	ACE HARDWARE	TUBE BRAID 3/4" ID X 1" OD	\$17.52
205273	6/1/2016	00191-NELSON	09580	CAMPBELL LAW FIRM	PUB DEF CONFLICT NELSON	\$49.50
205274	6/1/2016	00221-HUDSON	09580	CAMPBELL LAW FIRM	PUB DEF CONFLICT HUDSON	\$27.50
205275	6/16/2016	A1118920	02405	SEBO'S DO-IT CENTER	PARTS FOR PAINT MACHINE	\$35.11
205276	6/1/2016	00213-GUTHRIE	09580	CAMPBELL LAW FIRM	PUB DEF CONFLICT GUTHRIE	\$71.50
205277	6/14/2016	001-338935	02109	PISTON SERVICE OF ANACORTES	PART FOR VEH #032	\$2.56
205278	6/1/2016	00246-FAKKEMA	09580	CAMPBELL LAW FIRM	PUB DEF CONFLICT FAKKEMA	\$104.50
205279	6/9/2016	WAANA83273	00939	FASTENAL CO	3/8 X 20 BINDERS	\$244.87
205280	6/1/2016	00099-DICKERSON	09580	CAMPBELL LAW FIRM	PUB DEF CONFLICT DICKERSON	\$11.00

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
205281	6/14/2016	001-338927	02109	PISTON SERVICE OF ANACORTES	PARTS FOR VEH #032	\$7.89
205282	6/15/2016	001-339083	02109	PISTON SERVICE OF ANACORTES	PART FOR SHOP STOCK	\$86.52
205283	5/18/2016	S3484740.001	03896	BUILDERS' HARDWARE & SUPPLY	SECURITY LOCKS	\$247.33
205284	6/1/2016	00222-DAVIS	09580	CAMPBELL LAW FIRM	PUB DEF CONFLICT DAVIS	\$104.50
205285	6/1/2016	00220-CAYWOOD	09580	CAMPBELL LAW FIRM	PUB DEF CONFLICT CAYWOOD	\$60.50
205286	5/26/2016	Waana83003	00939	FASTENAL CO	FUEL STORAGE, FIRE SAFE CABINET FOR SHOP	\$976.49
205287	6/2/2016	662538	05284	GUARDIAN SECURITY SYSTEMS INC	OPERATIONS FIRE SYSTEM INSPECTION/CERTIFICATION	\$909.23
205288	5/17/2016	S3486132.001	03896	BUILDERS' HARDWARE & SUPPLY	SECURITY LOCKS WTP	\$276.68
205289	6/1/2016	00205-LAFFERTY	09580	CAMPBELL LAW FIRM	PUB DEF CONFLICT LAFFERTY	\$253.00
205290	6/1/2016	00245-BOYDSTON	09580	CAMPBELL LAW FIRM	PUB DEF CONFLICT BOYDSTON	\$44.00
205292	6/17/2016	0677812-001	00306	BAYSHORE OFFICE PRODUCTS	CITY HALL ITEMS	\$29.62
205293	6/16/2016	0677762-001	00306	BAYSHORE OFFICE PRODUCTS	KEY SIGNOUT CARDS	\$24.41
205294	6/15/2016	WAANA83384	00939	FASTENAL CO	PARTS FOR VEH #610	\$9.24
205295	3/18/2016	BLD-2016-1127	10221	SOUSA, MARY	REFUND - BLD-2016-1127	\$2,137.88
205296	6/17/2016	BLD-2016-1280	10222	NEW CREATIONS BUILDING CO. LLC	REFUND - BLD-2016-1280	\$200.00
205297	6/17/2016	BLD-2016-1258	10223	TRI-COUNTY PLUMBING	REFUND BLD-2016-1258	\$34.15
205298	6/17/2016	CUP-2015-0007	10224	MD7 LLC	REFUND CUP-2015-007	\$1,400.00
205299	6/16/2016	A1119011	02405	SEBO'S DO-IT CENTER	BUG REPELLANT	\$6.38
205300	6/17/2016	W522422221	07231	HOME DEPOT	RECYCLING BAGS FOR ALL PARKS	\$119.78
205301	6/17/2016	892305/1	00021	ACE HARDWARE	GORILLA TAPE, NYLON LINE - REC. SUPPLIES	\$18.64
205302	6/17/2016	B334622	02405	SEBO'S DO-IT CENTER	PIPE ELBOW, JOINT PLIERS - IRRIGATION	\$18.59
205303	6/15/2016	PIYOspring	09919	SCHLARMANN, KELLI	CONTRACTED SERVICES FOR TEACHING PIYO	\$325.50
205304	5/26/2016	a1110605	02405	SEBO'S DO-IT CENTER	MUTLI FACILITY USE ITEM	\$39.58
205306	6/11/2016	8498 30 017 0464628	04412	COMCAST	INTERNET SERVICE - WA PARK 6/21-7/20	\$96.12
205307	6/17/2016	A1119169	02405	SEBO'S DO-IT CENTER	PARTS FOR STREET DEPT	\$8.03
205308	6/17/2016	B334572	02405	SEBO'S DO-IT CENTER	PARTS FOR STREET DEPT	\$74.50
205309	6/17/2016	4178	02144	PORT SUPPLY	PART FOR VEH #610	\$7.33
205310	6/20/2016	214162	02890	VILLAGE PIZZA	COUNCIL SESSION 4-8 FOOD	\$88.38
205311	6/15/2016	A1118305	02405	SEBO'S DO-IT CENTER	PARTS FOR VEH #857	\$69.32

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
205312	6/14/2016	001-338861	02109	PISTON SERVICE OF ANACORTES	2 CYCLE OIL - ANTIQUE ENGINE	\$6.72
205313	6/17/2016	A1119136	02405	SEBO'S DO-IT CENTER	PARTS FOR VEH #610	\$4.55
205314	6/17/2016	MV139914	01801	MOTOR TRUCKS INC	PART FOR STREET DEPT	\$48.10
205315	6/17/2016	WAANA83476	00939	FASTENAL CO	PARTS FOR STREET DEPT	\$67.63
205316	4/6/2016	001.331765	02109	PISTON SERVICE OF ANACORTES	GASKET MATERIAL, GLUE (ANTIQU ENGINE)	\$6.97
205318	6/14/2016	Piston Service	09658	MCCUNN, MIKE	REIMBURSEMENT FOR ANTIQUE ENGINE/PISTON	\$17.75
205319	6/17/2016	41600190244	02909	LES SCHWAB TIRE CENTERS	PART FOR VEH #172	\$18.45
205320	6/10/2016	8402755210	00007	CINTAS CORP	FIRST AID SUPPLIES - VARIOUS DEPTS	\$158.01
205321	6/14/2016	1635	04817	NW CLEANERS	WINDOW CLEANING STA 1	\$352.00
205322	5/20/2016	656933	05284	GUARDIAN SECURITY SYSTEMS INC	FIRE EXTINGUISHERS - 29-3; REPLACE BATTERIES 29-1 ALARM	\$145.12
205323	6/13/2016	32392	02935	WA ASSN OF BUILDING OFFICIALS	2015 INTERNATIONAL PROPERTY MAINTENANCE	\$74.59
205325	6/9/2016	3359	08177	FIRE FLEET MAINTENANCE	PUMP CLASS - 3 DAYS - ALL SHIFTS	\$1,600.00
205326	6/15/2016	98244	07059	STORE, THE	8 BOXED LUNCHES FOR CANDIDATE TESTING	\$77.69
205327	6/16/2016	0176196	00950	FIDALGO BAY COFFEE COMPANY	10 LBS. COFFEE - 6/16	\$94.10
205328	5/1/2016	5041845343	01299	RICOH USA, INC	LIB C86078711 COPIES	\$491.19
205329	6/14/2016	A1117891	02405	SEBO'S DO-IT CENTER	PRUNER, LOPER	\$54.29
205330	6/14/2016	A1117946	02405	SEBO'S DO-IT CENTER	COUPLING, ADAPTER, PRIMER, CEMENT -	\$31.29
205331	6/16/2016	WAANA83422	00939	FASTENAL CO	SLEDGE HAMER, DRILLING HAMMER	\$71.36
205332	6/14/2016	1063454755	01299	RICOH USA, INC	PRINTER HR C86152062	\$1,581.93
205333	6/17/2016	110289	09864	DOG WASTE DEPOT	DOG WASTE BAGS	\$735.00
205334	5/31/2016	114-4085478	04834	UNITED SITE SERVICES	Portable toilet rental - WA Pk Loop #1	\$119.86
205335	6/15/2016	COA0616	09183	SYSTEMS DESIGN	AMBULANCE SERVICE BILLING MAY	\$3,449.77
205336	6/17/2016	0677758-001	00306	BAYSHORE OFFICE PRODUCTS	NEW HIR FURNITURE	\$1,421.66
205337	6/13/2016	MVCS0261514	01856	N C MACHINERY COMPANY	PARTS FOR VEH #414	\$309.36
205338	6/15/2016	ESO-23187	09866	ESO SOLUTIONS	ANNUAL SUBSCRIPTION	\$4,975.25
205339	6/10/2016	82177498	09185	BOUND TREE MEDICAL, LLC	PHARMACEUTICALS	\$164.83
205340	5/31/2016	1063161394	01299	RICOH USA, INC	MUSEUM PRINTER C86150637	\$4,053.55
205341	6/15/2016	1111924	02681	SURETY PEST CONTROL	JUNE SERVICE @ 29-2	\$44.49
205342	6/16/2016	82183349	09185	BOUND TREE MEDICAL, LLC	PHARMACEUTICALS	\$34.50
205343	6/14/2016	9788000000	00494	CASCADE NATURAL GAS CORP.	STA 3: 5/13 - 6/13	\$19.04
205344	6/13/2016	94003738	10090	ARROW INTERNATIONAL	EZ-IO NEEDLES (BOX)	\$1,112.13
205345	6/24/2016	7004	07231	HOME DEPOT	HDX 4-SHELF STEEL CORNER RACK	\$97.62
205346	6/14/2016	A1117928	02405	SEBO'S DO-IT CENTER	ELECTRICAL CONNECTORS	\$14.97
205347	6/15/2016	1201915304	08590	NEWEGG BUSINESS INC	REFURBISHED HP LASER PRINTER FOR MAYOR	\$373.24

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
205348	6/15/2016	1201919121	08590	NEWEGG BUSINESS INC	EXTENDED WARRANTY FOR MAYOR LASER PRINTER	\$30.00
205350	6/21/2016	Petty Cash Keri	02088	PETTY CASH FUND	REIMBURSE PETTY CASH FUND KERI	\$212.87
205353	6/21/2016	75905180	10088	GOTOCITRIX.COM	MONTHLY GOTOCITRIX PAYMENT	\$53.17
205354	6/15/2016	1472602	02519	SKAGIT PUBLISHING	AA-1472602 PUBLICATION OF ORDINANCE 2980	\$47.76
205355	6/21/2016	010976	00930	SKIDMORE PHARMACY INC.	Separovich, Robert, Pharm. Copay, Leoff	\$85.98
205356	6/17/2016	0506477	00932	FERGUSON ENTERPRISES, INC	M520 MXU'S - 13YR PRORATION	\$430.14
205357	6/14/2016	I4238928	01004	FOWLER COMPANY INC, H D	2" X 10" NIPPLE, BRASS	\$269.30
205358	6/13/2016	I4237712	01004	FOWLER COMPANY INC, H D	3/4 GATE VALVE HANDLES	\$85.61
205359	6/21/2016	A1120572	02405	SEBO'S DO-IT CENTER	SAFETY	\$29.78
205360	6/15/2016	0258245-IN	06303	SIRCHIE FINGER PRINT LAB	PATROL SUPPLIES; EVIDENCE TAPE	\$153.80
205361	6/21/2016	Registration	02565	SNO-ISLE REGIONAL LIBRARIES	REGISTRATION - 2016 SUMMER LIBRARY DIRECTORS MEETING	\$174.00
205362	6/10/2016	005529948	00368	GALLS LLC - DBA BLUMENTHAL UNIT	UNIFORM SHIRT; TREVINO	\$58.58
205363	6/14/2016	005545041	00368	GALLS LLC - DBA BLUMENTHAL UNIT	UNIFORM PANT; OFC ALVES	\$56.41
205364	6/18/2016	00005W5A83256	02817	UNITED PARCEL SERVICE	UPS SHIPPING CHARGES	\$14.50
205365	3/10/2016	3229407	10225	FAMILY CARE NETWORK	PRE-EMPLOYMENT PHYSICAL; TREVINO	\$251.00
205366	6/8/2016	5039042MB	01530	LAKESIDE INDUSTRIES	1 1/4 & 1 1/2 GRAVEL FOR STREET DEPT.	\$183.68
205367	6/21/2016	Contract 7314	09740	DUMAS BAY CNTR	2016 WA STATE LIBRARY DIRECTORS MTG ROOM RENTAL	\$65.41
205368	6/9/2016	5039067MB	01530	LAKESIDE INDUSTRIES	DUMP CONCRETE / GRAVEL	\$193.13
205369	6/17/2016	874 3508 017768 2	01616	LOWE'S BUSINESS ACCOUNT/GEMB	MAY/JUNE HARDWARE SUPPLIES	\$619.33
205370	5/1/2016	409-A	05518	ETLICHER, VERNON	MAY, PARTIAL ASSIST LIVING, LEOFF1 (\$41 X 31 DAYS)	\$1,271.00
205372	6/16/2016	300042926	01443	KCDA PURCHASING COOPERATIVE	OFFICE SUPPLIES	\$368.90
205373	6/16/2016	3000429727	01443	KCDA PURCHASING COOPERATIVE	COPY PAPER FOR OPERATIONS	\$150.16
205374	6/16/2016	0176194	00950	FIDALGO BAY COFFEE COMPANY	COFFEE FOR THE WWTP PLANT	\$93.00
205376	6/21/2016	Refund	10226	CHRISTENSEN, CHRISTINE	REFUND FOR FOUND LOST BOOK	\$20.00
205377	6/10/2016	BINV0005695	01106	GOBLE SAMPSON ASSOCIATES	PUMP INPUT AND OUTPUT CABLE, ROTOR	\$565.78
205378	5/28/2016	10004137	03072	WILBUR-ELLIS COMPANY, LLC	WEED CONTROL SPRAY	\$332.94
205379	6/1/2016	690728	01421	JCI JONES CHEMICALS INC	SODIUM HYDROXIDE	\$3,475.06
205380	6/14/2016	691670	01421	JCI JONES CHEMICALS INC	SODIUM HYDROXIDE	\$3,498.01

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
205381	6/13/2016	16000375 RI 05700	07762	I. KRUGER INC	MICROSAND FOR ACTIFLOW	\$3,412.89
205383	6/9/2016	539107682	04013	SIGMA-ALDRICH INC	FLUORIDE LAB ACCREDITATION PT SAMPLES	\$81.83
205384	6/9/2016	338875	03088	WILSON COMPANY, THE H W	BOOKS - ADULT	\$265.50
205385	6/16/2016	206219	02063	PCE PACIFIC INC	REPLACEMENT PROBES FOR 29TH ST & 3MG RESERVOIRS PH ANALYZERS	\$731.47
205386	6/17/2016	128315	02169	LITHTEX NW	PRINTING OF 2015 CONSUMER CONFIDENCE REPORTS	\$245.96
205387	6/21/2016	291000003	00780	DEPARTMENT OF ECOLOGY	2015 HAZARDOUS WASTE GENERATION FEE - FLUORIDE SLUDGE	\$49.00
205388	6/20/2016	1988651592	06718	ARAMARK	LAUNDRY SERVICE FOR WWTP	\$73.83
205389	6/16/2016	300042838	01443	KCDA PURCHASING COOPERATIVE	PAPER FOR THE PLANT	\$83.32
205391	6/21/2016	ST2161521630IS	01364	ISLAND HOSPITAL	MEAD, DAVE, COPAY, DOS: 5/11/16	\$12.78
205394	6/15/2016	1003110	09723	DISA GLOBAL SOLUTIONS INC	HEARING RE-TEST ON 6/8/16	\$30.00
205395	6/17/2016	5090992	00145	ANACORTES AMERICAN	ANACORTES AMERICAN	\$43.00
205398	6/21/2016	LeePettyCash	02089	PETTY CASH FUND	REIMBURSE IMPREST FUND	\$82.85
205399	6/1/2016	658618	05284	GUARDIAN SECURITY SYSTEMS INC	WTP FIRE ALARM MONITORING - 7/1/16-9/30/16	\$96.00
205400	6/3/2016	662607	05284	GUARDIAN SECURITY SYSTEMS INC	WTP FIRE SYSTEM ANNUAL TESTING	\$1,504.98
205401	6/14/2016	1988644119	06718	ARAMARK	WTP LAUNDRY SERVICE	\$41.95
205402	6/21/2016	A1120570	02405	SEBO'S DO-IT CENTER	MAINTENANCE TOOLS	\$29.03
205403	6/13/2016	891967	00021	ACE HARDWARE	LIME-RUST REMOVER	\$29.28
205404	5/31/2016	114-4084940	04834	UNITED SITE SERVICES	PORTA POTTY RENTAL AT PARK NEXT TO ROCKRIDGE PUMP STATION	\$110.08
205405	6/17/2016	1045234	09237	WASHINGTON TRACTOR	BED MAT FOR GATOR	\$132.36
205406	6/14/2016	P1552-7	06985	QUALITY CONTROLS CORP.	RENEW WTP RADIO LICENSE, TELEMETRY PROGRAMMING	\$3,287.00
205407	6/2/2016	WAMO134950	00939	FASTENAL CO	SAND PUMP BELTS	\$251.38
205408	6/9/2016	90397	00719	DALCO INC	PRESSURE WASHER VALVE	\$20.89
205409	6/13/2016	439461	02488	SKAGIT CO PUBLIC WORKS DEPT	SOLID WASTE DISPOSAL	\$19.36
205410	6/13/2016	3162-2	02434	SHERWIN WILLIAMS	PAINT	\$192.00
205411	6/21/2016	5/9/16	08246	AERZEN USA INC.	DELTA LUBE OIL	\$307.38
205413	5/26/2016	Visa	02896	VISA	SISTER CITIES ART EXCHANGE EXPENSES	\$224.08

Total

\$252,018.67



City Council Agenda Bill

Meeting Date: 6/27/2016

Agenda Item: 5c

Subject: Skyline Slurry Seal Project Road Closures

Staff Contact: Fred Buckenmeyer

Approved for Submittal to Council by	
	Laurie Gere, Mayor
	Steve Hoglund, Finance Director
X	Darcy Swetnam, City Attorney

Action Type	
	Ordinance No.
	Code Revision?
X	Resolution No. 1965
	Contract
	Public Hearing
	Staff Report

Summary Statement: Project needs Council permission to close certain roads on certain days for slurry seal project in the Skyline area of Anacortes.

Background: Slurry seal application necessitates a roadway segment empty of parked cars, and a driving restriction, for up to 8 hours for a one-day duration. There may be a need to tow a vehicle if the owner cannot be found.

Budget Impact	
Amount Budgeted	n/a
Budget Account (BARS)	n/a
Proposed Expenditure	n/a
Budget Amendment Required?	n/a
Revenue Source	n/a

Proposed Contract	
Contractor	n/a
Amount	n/a
Start Date	n/a
End Date	n/a

Previous Council/Committee Action: n/a

Competing Viewpoints Considered: n/a

Recommended Motion: I move to approve Resolution No. 1965 to close certain street segments on certain days per the list and map in Appendix A (attached to Resolution)

Alternative Actions: n/a

Attachments (listed in order presented): Resolution 1965; Appendix A which is a schedule and location map for the project and also a written list of roadway segments and dates for the project.

RESOLUTION NO. 1965

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANACORTES TEMPORARILY CLOSING MULTIPLE ROADS IN SKYLINE BETWEEN JUNE 28 and JULY 8, 2016

WHEREAS, the City Council is the road authority for the City of Anacortes; and

WHEREAS, a large road maintenance project is planned from June 28 through July 8, 2016, which will require closures of the roadway sections described in Appendix A; and

WHEREAS, the City Council hereby determines that vehicular traffic and/or parked cars in these roadway sections will not allow the work to occur, and additionally would pose a threat to public safety and would be dangerous to traffic and workers; and

WHEREAS, the City Council hereby determines it is necessary to provide a traffic-free and parking-free area to allow the project to be completed, to protect the public, and to facilitate traffic safety; and

WHEREAS, section 47.48.010 RCW gives the City Council authority to restrict or close city streets.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Anacortes, Washington, that the proposed road closure is narrowly tailored to serve this significant governmental interest of allowing a necessary public works project to be completed and to provide for public safety in a hazardous work zone.

BE IT FURTHER RESOLVED by the City Council of the City of Anacortes, Washington that the roads or portions of roads described on the attached Appendix A will be closed on the dates shown on the attached Appendix A, at which time barricades and signs may be placed in the area by the Anacortes Public Works Department. At the end of each day, all barricades and signs will be removed.

**INTRODUCED, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY
OF ANACORTES on this ____ day of _____, 2016.**

LAURIE M. GERE, MAYOR

Approved as to form and legality:

ATTEST:

Darcy Swetnam, WSBA #40530
City Attorney

Steve D. Hoglund, City Clerk Treasurer

APPENDIX A

- 1. LIST OF STREET SEGMENTS AND DATES OF CLOSURES**
- 2. MAP OF STREET SEGMENTS**



SKYLINE SLURRY SEAL...SUMMER 2016

28 JUNE ... DAY 1

STREET NAME	FROM	TO
PUGET	SUNSET	± 280 FEET NORTH
WASHINGTON CT	WASHINGTON BLVD	CIRCLE END
SUNDOWN	OBSERVATION	STREET END
OBSERVATION	WASHINGTON BLVD	CIRCLE END
PACIFIC (WEST)	WASHINGTON BLVD	COHO
GEER	PACIFIC	CIRCLE END
STROM	STROM	CIRCLE END
SHANNON PT RD	SUNSET	STREET END
SHEILA ANN	SHANNON PT RD	CIRCLE END
HARRISON	SHANNON PT RD	CIRCLE END
MORRISON	SUNSET	CIRCLE END
GRADY	SUNSET	CIRCLE END

29 JUNE ... DAY 2

STREET NAME	FROM	TO
COHO	SUNSET	CIRCLE END
PACIFIC (EAST)	SHANNON PT RD	MORTON
MORTON	PACIFIC	SUNSET
ELGIN	MACBETH	HEATHER
MACBETH	KINGSWAY	KINGSWAY
BRYCE	QUEEN ANN	± 500 FT S. OF CLYDE

30 JUNE ... DAY 3

STREET NAME	FROM	TO
BRADLEY	STERLING	HEATHER
HIGHLAND	BRYCE	QUEEN ANN
HIGHLAND	QUEEN ANN	YORKSHIRE
PIPER	HIGHLAND	GLASGOW
GLASGOW	PIPER	± 80 FT W. OF CYPRESS
BLAKELY	GLASGOW	CYPRESS

1 JULY ... DAY 4

STREET NAME	FROM	TO
SUGARLOAF	SKYLINE	ROSARIO
ROSARIO	SUGARLOAF (WEST)	SUGARLOAF (EAST)
SUGARLOAF	ROSARIO	KINGSWAY
STERLING	ANACO BEACH	KINGSWAY
VALE	KINGSWAY	DOON
CYPRESS	± 100 FT S. GLASGOW	BLAKLEY
DEVONSHIRE *	YORKSHIRE	YORKSHIRE
* and all associated cul-de-sac PLACES		

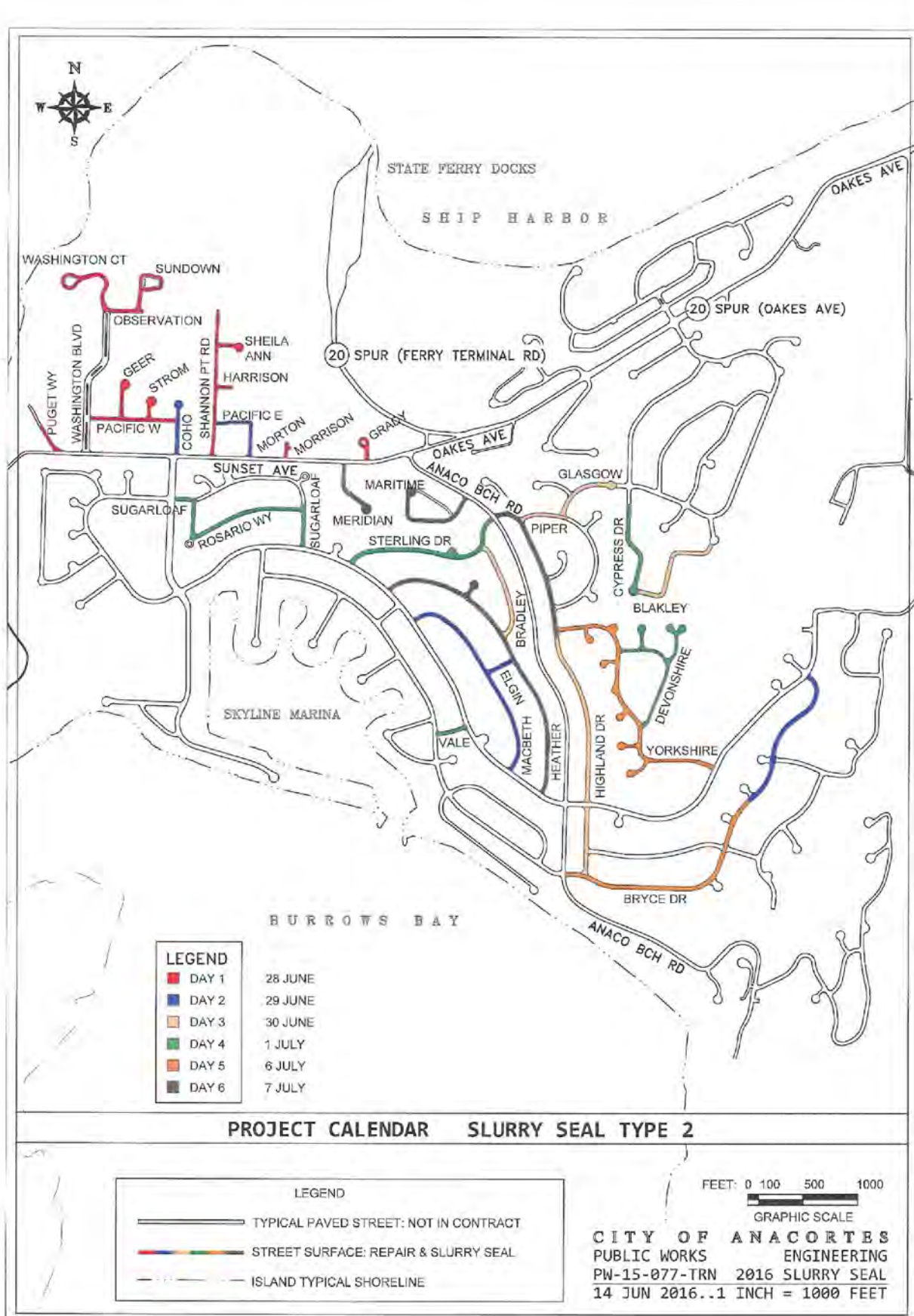
6 JULY ... DAY 5

STREET NAME	FROM	TO
YORKSHIRE *	HIGHLAND	QUEEN ANN
BRYCE	ANACO BEACH	± 500 FT S. OF CLYDE
* and all associated cul-de-sac PLACES		

7 JULY ... DAY 6

STREET NAME	FROM	TO
MERIDIAN	SUNSET	CIRCLE END
MARITIME	ANACO BEACH	CIRCLE END
HIGHLAND	ANACO BEACH	YORKSHIRE
HEATHER	KINGSWAY	KINGSWAY





SKYLINE **SLURRY SEAL** **SUMMER 2016**



City Council Agenda Bill

Meeting Date: 6/27/2016

Agenda Item: Item 7a

Subject: Proposed Ordinance 2981 Updating Building Codes to the current 2015 editions.

Staff Contact: Don Measamer

Approved for Submittal to Council by	
X	Laurie Gere, Mayor
	Steve Hoglund, Finance Director
X	Darcy Swetnam, City Attorney
X	Don Measamer

Action Type	
X	Ordinance No. 2981
X	Code Revision?
	Resolution No.
	Contract
	Public Hearing
X	Staff Report

Summary Statement: The adoption of Ordinance 2981 would amend AMC Chapter 15.05 adopting the current International 2015 Codes consistent with the Washington State Building Code Council July 1 implementation. Adoption of the 2015 Codes includes the International Property Maintenance Code. The International Property Maintenance Code will be useful in addressing dilapidated and unmaintained structures. The proposed code adoptions include the state amendments. Chapter 15.12 AMC, Smoke Detectors, is no longer necessary in that the appropriate codes provide for smoke detector locations, type and testing. After lengthy consultation with the Fire Department it was determined that the Wildland Urban Interface Code not be adopted in this round of codes to allow more time for the department to study impacts in areas designated as such and department needs to implement those code provisions. A strike through and underline version, along with a clean version is attached for your review and consideration.

Background: The building codes are updated on a three year cycle, adopted by the state then local jurisdictions with state and local amendments. Please note that a public hearing is not required, however, public comment is welcome.

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	
Proposed Expenditure	
Budget Amendment Required?	
Revenue Source	

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: Council considered Ordinance 2981 at its June 20, 2016 meeting and voted to postpone consideration for one week, following a seconded motion to approve the ordinance with the removal of Section 15.05.050.

Competing Viewpoints Considered: NA

Recommended Motion: I move approve Ordinance 2981 as revised.

Alternative Actions: Continue to the next regularly scheduled meeting

Attachments (listed in order presented): Ordinance 2981 with Attachment A

ORDINANCE NO. 2981

AN ORDINANCE AMENDING ANACORTES MUNICIPAL CODE CHAPTER 15.05, BUILDING CODE, RELATING TO THE ADOPTION OF CURRENT EDITIONS OF INTERNATIONAL BUILDING, RESIDENTIAL, AND OTHER CODES AND AMENDING CERTAIN SECTIONS, AND DELETING CHAPTER 15.12 AMC, SMOKE DETECTORS

WHEREAS, the Washington State Legislature adopted the International Building Code, the International Residential Code, the International Mechanical Code, the Uniform Plumbing Code, and the International Fire Code, and directed that the State Building Code Council adopt these codes as a part of the state building code; and

WHEREAS, the State Building Code Council adopted the 2015 editions of such codes in all Washington cities; and

WHEREAS, the City Council has determined that adoption of the 2015 code editions with certain local amendments is in the public interest; and

WHEREAS, the City Council has determined that the fees for building permits should not be adjusted at this time and remain as shown in Section 15.05.150 AMC;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANACORTES, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The City Council hereby adopts Attachment A amending Anacortes Municipal Code Sections, 15.05.25, 15.05.030, 15.05.035, 15.05.040, 15.05.050, 15.05.060, 15.05.070, 15.05.085, and 15.05.090 and deletes Chapter 15.12 in its entirety.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and the ordinance shall take effect and be in full force five days after the date of publication.

PASSED AND APPROVED by the Anacortes City Council this 27th day of June, 2016.

CITY OF ANACORTES, WASHINGTON

By _____
Laurie Gere, Mayor

ATTEST:

Steve Hoglund, City Clerk/Treasurer

APPROVED AS TO FORM:

Darcy Swetnam, City Attorney

Appendix A
(Ordinance No. 2981)

Chapter 15.05 BUILDING CODE*

Note to Chapter 15.05

15.05.010 Short title.

15.05.020 Purpose.

15.05.025 Adoption.

15.05.30 Adoption of the International Building Code.

15.05.035 Adoption of the International Residential Code.

15.05.040 Adoption of International Mechanical Code.

15.05.050. Adoption of the International Property Maintenance Code, 2015 Edition; published by the International Code Council.

15.05.060 Adoption of International Fire Code.

15.05.070 Adoption of Uniform Plumbing Code and Uniform Plumbing Code Standards.

15.05.085 Adoption of standards for manufactured home installation.

15.05.090 Adoption of the International Energy Conservation Code

15.05.100 Reserved.

15.05.110 Administrative authority.

15.05.120 Unlawful acts.

15.05.130 Violation—Penalty.

15.05.150 Building Permit fees—Table B

15.05.160 Grading fees.

15.05.170 Mechanical permit fees.

15.05.180 Plumbing permit fees.

15.05.010 Short title.

This chapter shall be known as the building code for the city of Anacortes.

15.05.020 Purpose.

The purpose of this chapter is to implement rules compatible with the state of Washington, RCW Chapter 19.27 and 70.92, and WAC Chapters 51-50, 51-51, 51-52, 51-56 and 51-54, with certain local modifications allowed by such chapters.

The purpose of this chapter and the codes adopted hereunder is to provide minimum standards to regulate certain activities within the city to protect the general public and not any particular individuals. Any duty established hereunder is to the general public and does not extend to any particular individual or any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.

15.05.025 Adoption.

The following codes are hereby adopted by reference, subject to modifications and/or amendments hereinafter set forth in this chapter.

- A. International Building Code, 2015 Edition, published by the International Code Council, together with all supplements thereto, including the 2015 International Existing Building Code, International Building Code Appendix E and ICC A117.1-2009 (Washington State Amendments); International Building Code Appendix B, Appendix C, Appendix E, Appendix G, and Appendix J; International Existing Building Code Appendix A; mandated state amendments and subject to the modifications set forth by the state of Washington in Chapter 51-50 WAC;
- B. International Residential Code, 2015 Edition, published by the International Code Council, together with all supplements thereto, International Residential Code Appendices F, G and R and subject to the modifications set forth by the state of Washington in chapter 51-51 WAC;
- C. International Fire Code, 2015 Edition as published by the International Code Council; Appendices B, C, D and K; together with supplements and amendments thereto, per Chapter 51-54 WAC
- D. International Mechanical Code, 2015 Edition, published by the International Code Council, together with all supplements thereto; and subject to the modifications set forth by the state of Washington in Chapter 51-52 WAC;
- E. Uniform Plumbing Code, 2015 Edition, published by the International Association of Plumbing and Mechanical Officials, together with all supplements and amendments thereto, and subject to the modifications set forth by the state of Washington in Chapters 51-56 and 51-57 WAC; Appendices Chapter A, Chapter B and Chapter I; provided, that Chapters 12 and 15 are not adopted; provided further, that those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions addressing building sewers are not adopted.
- F. International Fuel Gas Code, 2015 Edition, published by the International code Council, together with standards NFPA 58 and NFPA 54;
- G. International Property Maintenance Code, 2015 Edition, published by the International Code Council is adopted by reference.
- H. International Energy Conservation Code, 2015 Edition, published by the International Code Council; together with supplements and amendments thereto, per Chapters 51-11R and 51-11C WAC.

- I. Installation of factory built housing and commercial structures, RCW 43.22.460, together with WAC 296-150C-0540, and the installation of manufactured and mobile homes, RCW 43.22.440 and WAC 296-150M-0650;
- J. In case of conflict among the codes numerated in subsections A through I of this section, the first named code shall govern over those following.
- K. Fire District. Within that area north of the north line of 22nd Street lying between the east line of O Avenue and the west line of Q Avenue, any new building or portion of a building hereafter subject to alteration or repair shall be of Type V-A (1-hour fire-resistive) construction minimum.
- L. For the purpose of determining valuation for issuance of building permits and charging building permit fees, the current building valuation data published in the Building Safety Journal by International Code Council shall be utilized.
- M. Prior to submitting building plans for a single-family residence, a deposit of two hundred dollars shall be paid to the city building department which deposit is nonrefundable.

15.05.30 Adoption of International Building Code:

The International Building Code, published by the International Code Council, as adopted by the state of Washington 51-50 WAC, together with any supplements thereto 2015 Edition, be and they are adopted by reference with the following amendments.

Section 105.2 is amended to read as follows:

105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. This section will be amended as follows:

1. One-story detached accessory structures used as tool and storage sheds, Playhouses and similar uses, provided the floor area does not exceed 144 square feet.
2. Fences not over 7 feet in height.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Temporary motion picture, television and theater stage sets and scenery.
8. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, are not greater than 5,000 gallons and are installed entirely above ground.
9. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
10. Swings and other playground equipment accessory to detached one and two family dwellings.
11. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
12. Nonfixed and movable fixtures, cases and racks, counters and partitions not over 5 feet 9 inches in height.

Section 105.5 is amended to read as follows:

105.5 Expiration. If the work described in any building permit has not begun within one hundred eighty days from the date of issuance thereof, said permit shall expire. If the work described in any building permit has not been substantially completed within 18 months of the date of issuance thereof, said permit shall expire. Work on the project shall not proceed unless a new building permit has been obtained.

Section 109.2 is amended to read as follows:

109.2 Schedule of permit fees. On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with:

109.2.1 Table B building permit fees for other than single-family dwellings codified in chapter 15.05.150.

109.2.2 Plan Review Fees.

109.2.2.1 When submittal documents are required, a plan review fee shall be paid. Such plan review fee shall be sixty-five percent of the building permit fee as shown in Tables B and G-1.

109.2.2.2 The plan review fees specified in this section are separate fees from the permit fees specified in this section and are in addition to the permit fees.

109.2.2.3. When submittal documents are incomplete or change so as to require additional plan review or when the project involves phased approval, an additional plan review fee shall be charged at the rate shown in Table G-1 or B.

109.2.3. Table G-1 grading permit fees codified in chapter 15.05.160

109.2.4 Manufactured home. A building permit will be required before any manufactured home shall be permitted in the city. A fee of one hundred twenty-five dollars shall be charged for mobile homes placed in mobile home parks, one hundred ninety for single wide manufactured homes, three hundred dollars for double or triple wide manufactured homes placed outside of established manufactured home parks.

Section 109.4 is amended to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee equal to the amount of the permit fee required by this chapter and said fee shall be in addition to the required permit fees. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 109.6 is amended to read as follows:

109.6 Refunds. The building official is authorized to establish a refund policy.

The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee no later than 180 days after the date of fee payment.

Section 113.1 is amended to read as follows:

113.1 General. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this code, and to hear any appeals hereunder, the Board of Adjustment of the City of Anacortes is hereby designated as the Board of Appeals. The Fire Chief of the City of Anacortes and the Building Official shall be non-voting, ex-officio members of said Board of Adjustment sitting as a Board of Appeals.

Section 3002.4 is amended to read as follows:

3002.4 Stretcher Requirements. In all structures four or more stories above grade plane or four or more stories below grade plane, and in all groups A, B, E, I, R1, R2, R4 and LC occupancies where elevators are installed, at least one elevator shall be provided for fire department emergency access to all floors. Such elevator car shall be provided with a minimum clear distance between walls or between walls and door including return panels, of not less than 86 inches by 54 inches (2184 mm by 1272 mm), and a minimum distance from wall to return panel of not less than 51 inches (1295 mm) with a 42-inch (1067 mm) side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 86 inches (2184 mm) by 26 inches (660 mm) in the horizontal position. The elevator(s) shall be identified by the international symbol for emergency medical services (Star of Life). The symbol shall not be less than 3 inches (76 mm) and placed inside on both sides of the hoist way doorframe. The symbol shall be placed no lower than 78 inches (1981 mm) from the floor level or higher than 84 inches (2134 mm) from floor level.

Exception: Elevators serving only one dwelling unit.

In buildings where one elevator does not serve all floors, two or more elevators may be used.

15.05.035 Adoption of the International Residential Code.

The International Residential Code, published by the International Code Council, as adopted by the state of Washington 51-51 WAC, together with any supplements thereto, 2015 Edition, be and they are adopted by reference with the following amendments.

Section R105.2 is amended to read as follows:

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures, provided the floor area does not exceed 144 square feet.
2. Fences not over 7 feet high.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways not more than 30 inches above adjacent grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

Section R105.5 is amended to read as follows:

R105.5 Expiration. If the work described in any building permit has not begun within one hundred eighty days from the date of issuance thereof, said permit shall expire. If the work described in any building permit has not been substantially completed within 18 months of the date of issuance thereof, said permit shall expire. Work on the project shall not proceed unless a permit renewal fee has been paid and a new permit issued. The renewal fee is half of the original building permit fee amount.

Section R108 is amended to read as follows:

Section R108. Fees.

R108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

R108.1.1 Application Fees. Prior to submitting building plans for a single family residence, a deposit of two hundred (\$200.00) dollars shall be paid to the city building department which deposit is non-refundable.

R108.2 Schedule of permit fees. On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

R108.2.1 Building permit fee. Building permit fees for single family residential permit shall be as specified in Table B codified in chapter 15.05.150.

R108.2.2 Mechanical permit fees. The fees for mechanical work and gas piping shall be as specified in Table M-1 codified in chapter 15.05.170.

R108.2.3 Plumbing permit fees. The fees for plumbing work shall be as specified in Table P-1 codified in chapter 15.05.180.

R108.2.4 Plan review fees.

1. When submittal documents are required by section R106.1, a plan review fee shall be paid. Such plan review fee shall be sixty-five (65) percent of the building permit fee as specified in Table B.
2. The plan review fees specified in this section are separate fees from the permit fees specified in this section and are in addition to the permit fees.
3. When submittal documents are incomplete or change so as to require additional plan review or when the project involves phased approval as defined in section R106.3.3, an additional plan review fee shall be charged at the rate shown in Table B.

R108.3 Building permit valuations. Building permit valuation shall be based on the current Building Valuation Data Sheet issued by the International Code Council.

R108.4 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

Section R108.5 is amended to read as follows:

R108.5 Refunds. The building official is authorized to establish a refund policy. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee no later than 180 days after the date of fee payment.

Section R112.1 is amended to read as follows:

R112.1 General In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this code, and to hear any appeals hereunder, the Board of Adjustment of the City of Anacortes is hereby designated as the Board of Appeals. The Fire Chief of the City of Anacortes and the Building Official shall be non-voting, ex-officio members of said Board of Adjustment sitting as a Board of Appeals.

Section R301 is amended as follows.

Table R301.2(1) The local values shall be as follows.

**TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

			SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
GROUND SNOW LOAD	WIND SPEED (mph)	SEISMIC DESIGN CATEGORY	Weathering	Frost line depth	Permit type	Decay					
20	70-115	D1	Moderate	12	N-S	S-M	24	No	9/17/03	154	50

15.05.040 Adoption of International Mechanical Code.

The International Mechanical Code, 2012 2015 Edition with amendments as adopted by the state of Washington as Chapter 51-52 WAC be and it is adopted by reference.

Section 106.5.2 is amended to read as follows:

106.5.2 Fee schedule. The fees for mechanical work shall be as indicated in Table M-1 codified in chapter 15.05.170.

Section 108.4 is amended to read as follows:

108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be assessed a civil fine of not more than five hundred dollars (\$500.00) for each violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 is amended to read as follows:

108.5 Stop work orders. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than five hundred dollars (\$500). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 109.2 is amended to read as follows:

109.2 Board of Appeals. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this code, and to hear any appeals hereunder, the Board of Adjustment of the City of Anacortes is hereby designated as the Board of Appeals. The Fire Chief of the City of Anacortes and the Building Official shall be non-voting, ex-officio members of said Board of Adjustment sitting as a Board of Appeals.

15.05.050 Adoption of International Property Maintenance Code

The International Property Maintenance Code, 2015 Edition published by the International Code Council is adopted by reference.

15.05.060 Adoption of International Fire Code.

The International Fire Code 2015 Edition, as adopted by the state of Washington as Chapters 51-54A including Appendices B, C, and only Sections D101, D102, D103.5, D103.6, D105, of Appendix D and Appendix J, is adopted by reference with the following amendments:

Section 108.1 is amended to read as follows:

Section 108.1. In order to determine the suitability of alternate materials and type of construction and to provide for reasonable interpretations of the provisions of this Code, the Board of Adjustment of the City of Anacortes is hereby empowered to act as a Board of Appeals for this code. The Fire Chief and the Building Official shall be non-voting ex-official members of said Board of Appeals.

Section 503.6 is amended to read as follows.

Section 503.6.1 Security gates that hinder or prevent access to Fire Department or EMS agencies in any commercial occupancy, or property serving four (4) or more residential occupancies shall require an approved automatic opener activated by opticom and a secondary means to manually open the gate in the event of power failure.

Section 5704.2.14 is amended to read as follows.

Section 5704.2.14.3 The removal of underground storage tanks must be performed by, or directly supervised, by an individual certified by the International Code Council as and Underground Storage Tank Decommissioner or other approved certification.

15.05.070 Adoption of Uniform Plumbing Code and Uniform Plumbing Code Standards.

The Uniform Plumbing Code and Uniform Plumbing Code Standards, 2015_Edition, as adopted by the state of Washington as Chapters 51-56 WAC, be and they are adopted.

Section 103.4 shall be amended as follows:

103.4 Permit Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule Table P-1 codified in chapter 15.05.180.

Section 103.4.2 shall be amended as follows:

103.4.2 Plan review Fees. When a plan or other data is required to be submitted by 103.2.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be 65 percent of the Plumbing Permit fees as shown in Table P-1.

The plan review fees specified in this subsection are separate fees from the permit fees specified in this section and are in addition to the permit fees.

When plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate shown in Table P-1.

15.05.085 Adoption of standards for manufactured home installation.

Installation of factory built housing and commercial structures, RCW 43.22.460, together with WAC 296-150C-0540, and the installation of manufactured and mobile homes, RCW 43.22.440 and WAC 296-150M-0650.

15.05.090 International Energy Conservation Code

The International Energy Conservation Code, 2015 Edition, for residential and commercial, published by the International Code Council, together with supplements and amendments thereto, per Chapters 51-11R and 51-11C WAC.

15.05.110 Administrative authority.

The building code of the city shall be administered and enforced by the building official of the city. The building official of the city or his designee shall be deemed to be the authority charged with enforcement as defined in Section 104 of the International Building Code, Section 103 of the International Mechanical Code, Section 103 of the International Fuel Gas Code. The building official or his designee shall also be deemed the "authority having jurisdiction," as such term is defined in Section 102 of the Uniform Plumbing Code, for the purpose of enforcing and administering the provisions of the Uniform Plumbing Code.

15.05.120 Unlawful acts.

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, cause the same to be done, contrary to or in violation of any of the provisions of this chapter and the codes adopted by reference.

15.05.130 Violation—Penalty.

Notwithstanding the provisions of Section 113 of the International Building Code, Section 113 of the International Residential Code, Section 108 of the International Mechanical Code, Section 108 of the International Fuel Gas Code, Section 109 of the International Fire Code, Section 106 of the Washington State Energy Conservation Code, Section 107 of the Washington State Ventilation and Indoor Air Quality Code, Part I, Section 102.3 of the Uniform Plumbing Code, any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued, or permitted and upon conviction of any such violation such persons shall be punishable by a fine of not more than five hundred dollars.

15.05.150 Permit Fee Schedule

**TABLE NO. B
BUILDING PERMIT FEES**

Total Valuation	Fee
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00, plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00, plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00, plus \$10.10 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00, plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00, plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00, plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00, plus \$3.65 for each additional \$1,000.00 or fraction thereof

Other Inspections and Fees

1. Inspections outside of normal business hours (minimum charge—two hours)	\$55.00 per hour
2. Reinspection fees assessed after the first reinspection	\$55.00 per hour
3. Inspections for which no fee is specifically indicated (minimum charge—one-half hour)	\$55.00 per hour

4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge—one-half hour)	\$55.00 per hour
---	------------------

15.05.160 Grading fees.

**TABLE G-1
GRADING PERMIT FEES¹**

Total Valuation	Fee
50 cubic yards or less	\$23.50
51 to 100 cubic yards	\$37.00
101 to 1,000 cubic yards	\$37.00 for the first 100 cubic yards, plus \$17.50 for each additional 100 cubic yards or fraction thereof
1,001 to 10,000 cubic yards	\$194.50 for the first 1,000 cubic yards, plus \$14.50 for each additional 1,000 cubic yards or fraction thereof
10,001 to 100,000 cubic yards	\$325.00 for the first 1,000 cubic yards, plus \$66.00 for each additional 10,000 cubic yards or fraction thereof
100,001 cubic yards or more	\$919.00 for the first 100,000 cubic yards, plus \$36.50 for each additional 10,000 cubic yards or fraction thereof

Other Inspections and Fees

1. Inspections outside of normal business hours (minimum charge—two hours)	\$55.00 per hour
2. Reinspection fee assessed after the first reinspection	\$55.00 per hour
3. Inspections for which no fee is specifically indicated (minimum charge—one-half hour)	\$55.00 per hour

¹ The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

GRADING PLAN REVIEW FEES

50 cubic yards or less	No fee
51 to 100 cubic yards	\$23.50
101 to 1,000 cubic yards	\$37.00

1,001 to 10,000 cubic yards	\$49.25
10,001 to 100,000 cubic yards	\$49.25 for the first 10,000 cubic yards, plus \$24.50 for each additional 10,000 cubic yards or fraction thereof
100,001 to 200,000 cubic yards	\$269.75 for the first 100,000 cubic yards, plus \$13.25 for each additional 10,000 cubic yards or fraction thereof
200,001 cubic yards or more	\$402.25 for the first 100,000 cubic yards, plus \$7.25 for each additional 10,000 cubic yards or fraction thereof
Other Fees:	
Additional plan review required by changes, additions or revisions to approved plans (minimum charge—one-half hour)	\$55.00 per hour

15.05.170 Mechanical permit fees.

**TABLE M-1
MECHANICAL PERMIT FEES**

Permit Issuance and Heaters	
1. For the issuance of each mechanical permit	\$23.50
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finalized	\$7.25
Unit Fee Schedule	
(Note: The following do not include permit-issuing fee.)	
1. Furnaces	
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW)	\$14.80
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW)	\$18.20
For the installation or relocation of each floor furnace, including vent	\$14.80
For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	\$14.80
2. Appliance Vents	
For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	\$7.25
3. Repairs or Additions	

For the repair of, alteration, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$13.70
4. Boilers, Compressors and Absorption Systems	
For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3 kW)	\$14.70
For the installation or relocation of each boiler or compressor over three horsepower (10.6 kW), to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW), to and including 500,000 Btu/h (146.6 kW)	\$27.15
For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW), to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW), to and including 1,000,000 Btu/h (293.1 kW)	\$37.25
For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW), to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW), to and including 1,750,000 Btu/h (512.9 kW)	\$55.45
For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW)	\$92.65
5. Air Handlers	
For each air-handling unit, to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto	\$10.65
Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.	
For each air-handling unit over 10,000 cfm (4719 L/s)	\$18.10
6. Evaporative Coolers	
For each evaporative cooler other than portable type	\$10.65
7. Ventilation and Exhaust	
For each ventilation fan connected to a single duct	\$7.25
For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	\$10.65
For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	\$10.65
8. Incinerators	
For the installation or relocation of each domestic-type incinerator	\$18.20
For the installation or relocation of each commercial or industrial-type incinerator	\$14.50
9. Miscellaneous	

For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table	\$10.65
Other Inspections and Fees	
1. Inspections outside of normal business hours, per hour (minimum charge—two hours)	\$55.00
2. Reinspection fees assessed under provisions of Section 116.6, per inspection	\$55.00
3. Inspections for which no fee is specifically indicated, per hour (minimum charge—one-half hour)	\$55.00
4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge—one-half hour)	\$55.00

* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

Gas Piping System	
For each gas piping system of one to four outlets	\$4.75
For each additional outlet exceeding four, each	\$1.10
When Chapter 14 is applicable, permit fees for process piping shall be as follows:	
For each hazardous process piping system (HPP) of one to four outlets	\$5.00
For each hazardous process piping of five or more outlets, for each outlet	\$1.00
For each non hazardous process piping system (NPP) of one to four outlets	\$2.00
For each non hazardous piping system of five or more outlets, per outlet	\$0.50

15.05.180 Plumbing permit fees.

**TABLE P1
PLUMBING PERMIT FEES**

Permit Issuance	
1 For issuing each permit	\$20.00
2. For issuing each supplemental permit	\$10.00
Unit Fee Schedule (in addition to items 1 and 2 above)	
1. For each plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and backflow protection therefore)	\$7.00

2. For each building sewer and each trailer park sewer	\$15.00
3. Rainwater systems, per drain (inside building)	\$7.00
4. For each cesspool (where permitted)	\$25.00
5. For each private sewage disposal system	\$40.00
6. For each water heater and/or vent	\$7.00
7. For each gas piping system of one to five outlets	\$5.00
8. For each additional gas piping system outlet, per outlet	\$1.00
9. For each industrial waste pretreatment interceptor, including its trap and vent, except kitchen-type grease interceptors functioning as fixture traps	\$7.00
10. For each installation, alteration or repair of water piping and/or water treating equipment, each	\$7.00
11. For each repair or alteration of drainage or vent piping, each fixture	\$7.00
12. For each lawn sprinkler system on any one meter, including backflow protection devices therefore	\$7.00
13. For atmospheric-type vacuum breakers not included in item 12:	
1 to 5	\$5.00
over 5, each	\$1.00
14. For each backflow protective device other than atmospheric type vacuum breakers:	
2 inch (51 mm) diameter and smaller	\$7.00
over 2 inch (51 mm) diameter	\$15.00
15. For each gray water system	\$40.00
16. For initial installation and testing for a reclaimed water system	\$30.00*
17. For each annual cross-connection testing of a reclaimed water system (excluding initial test)	\$30.00*
18. For each medical gas piping system serving one to five inlet(s)/outlet(s) for a specific gas	\$50.00
19. For each additional medical gas inlet(s)/outlet(s)	
Other Inspections and Fees	
1. Inspections outside of normal business hours	\$55.00
2. Reinspection fee	\$55.00
3. Inspections for which no fee is specifically indicated	\$55.00
4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge—one-half hour)	\$55.00

* Per hour for each hour worked or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervisions, overhead, equipment, hourly wages and fringe benefits of all the employees involved.

Appendix A
(Ordinance No. 2905 2981)

Chapter 15.05 BUILDING CODE*

Note to Chapter 15.05

15.05.010 Short title.

15.05.020 Purpose.

15.05.025 Adoption.

15.05.30 Adoption of the International Building Code.

15.05.035 Adoption of the International Residential Code.

15.05.040 Adoption of International Mechanical Code.

15.05.050 ~~Adoption of International Code for the Abatement of Dangerous Buildings.~~ Adoption of the International Property Maintenance Code, 2015 Edition; published by the International Code Council.

15.05.060 Adoption of International Fire Code.

15.05.070 Adoption of Uniform Plumbing Code and Uniform Plumbing Code Standards.

15.05.085 Adoption of standards for manufactured home installation.

15.05.090 ~~Adoption of the Washington State Energy Code.~~ Adoption of the International Energy Conservation Code

15.05.100 Reserved.

15.05.110 Administrative authority.

15.05.120 Unlawful acts.

15.05.130 Violation—Penalty.

15.05.150 Building Permit fees—Table B

15.05.160 Grading fees.

15.05.170 Mechanical permit fees.

15.05.180 Plumbing permit fees.

15.05.010 Short title.

This chapter shall be known as the building code for the city of Anacortes.

15.05.020 Purpose.

The purpose of this chapter is to implement rules compatible with the state of Washington, RCW Chapter 19.27 and 70.92, and WAC Chapters 51-50, 51-51, 51-52, 51-56 and 51-54, with certain local modifications allowed by such chapters.

The purpose of this chapter and the codes adopted hereunder is to provide minimum standards to regulate certain activities within the city to protect the general public and not any particular individuals. Any duty established hereunder is to the general public and does not extend to any particular individual or any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.

15.05.025 Adoption.

The following codes are hereby adopted by reference, subject to modifications and/or amendments hereinafter set forth in this chapter.

- A. International Building Code, 2012 2015 Edition, published by the International Code Council, together with all supplements thereto, including the 2015 International Existing Building Code, International Building Code Appendix E and ICC A117.1-2009 (Washington State Amendments); International Building Code Appendix B, Appendix C, Appendix E, Appendix G, and Appendix J; International Existing Building Code Appendix A; mandated state amendments and subject to the modifications set forth by the state of Washington in Chapter 51-50 WAC;
- B. International Residential Code, 2012 2015 Edition, published by the International Code Council, together with all supplements thereto, excluding appendix Chapter S International Residential Code Appendices F, G and R and subject to the modifications set forth by the state of Washington in chapter 51-51 WAC;
- C. International Fire Code, 2015 Edition as published by the International Code Council; Appendices B, C, D and K; together with supplements and amendments thereto, per Chapter 51-54 WAC
- D. International Mechanical Code, 2012 2015 Edition, published by the International Code Council, together with all supplements thereto; and subject to the modifications set forth by the state of Washington in Chapter 51-52 WAC;
- E. Uniform Plumbing Code, 2012-2015 Edition, published by the International Association of Plumbing and Mechanical Officials, together with all supplements and amendments thereto, and subject to the modifications set forth by the state of Washington in Chapters 51-56 and 51-57 WAC; Appendices Chapter A, Chapter B and Chapter I; provided, that Chapters 12 and 15 are not adopted; provided further, that those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions addressing building sewers are not adopted.
- F. International Fuel Gas Code, 2012 2015 Edition, published by the International code Council, together with standards NFPA 58 and NFPA 54;
- G. International Existing Building Code, 2012 Edition; published by the International Code Council, is adopted by reference; International Property Maintenance Code, 2015 Edition, published by the International Code Council is adopted by reference.

- H. ~~The Washington State Energy Code, 2012 Edition, Chapter 51-11 WAC. International Energy Conservation Code, 2015 Edition, published by the International Code Council; together with supplements and amendments thereto, per Chapters 51-11R and 51-11C WAC.~~
- I. Installation of factory built housing and commercial structures, RCW 43.22.460, together with WAC 296-150C-0540, and the installation of manufactured and mobile homes, RCW 43.22.440 and WAC 296-150M-0650;
- J. In case of conflict among the codes numerated in subsections A through I of this section, the first named code shall govern over those following.
- K. Fire District. Within that area north of the north line of 22nd Street lying between the east line of O Avenue and the west line of Q Avenue, any new building or portion of a building hereafter subject to alteration or repair shall be of Type V-A (1-hour fire-resistive) construction minimum.
- L. For the purpose of determining valuation for issuance of building permits and charging building permit fees, the current building valuation data published in the Building Safety Journal by International Code Council shall be utilized.
- M. Prior to submitting building plans for a single-family residence, a deposit of two hundred dollars shall be paid to the city building department which deposit is nonrefundable.

15.05.30 Adoption of International Building Code:

The International Building Code, published by the International Code Council, as adopted by the state of Washington 51-50 WAC, together with any supplements thereto, ~~2012~~ 2015 Edition, be and they are adopted by reference with the following amendments.

Section 105.2 is amended to read as follows:

105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. This section will be amended as follows:

1. One-story detached accessory structures used as tool and storage sheds, Playhouses and similar uses, provided the floor area does not exceed 144 square feet.
2. Fences not over 7 feet in height.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Temporary motion picture, television and theater stage sets and scenery.
8. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, are not greater than 5,000 gallons and are installed entirely above ground.
9. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
10. Swings and other playground equipment accessory to detached one and two family dwellings.
11. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
12. Nonfixed and movable fixtures, cases and racks, counters and partitions not over 5 feet 9 inches in height.

Section 105.5 is amended to read as follows:

105.5 Expiration. If the work described in any building permit has not begun within one hundred eighty days from the date of issuance thereof, said permit shall expire. If the work described in any building permit has not been substantially completed within 18 months of the date of issuance thereof, said permit shall expire. Work on the project shall not proceed unless a new building permit has been obtained.

Section 109.2 is amended to read as follows:

109.2 Schedule of permit fees. On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with:

109.2.1 Table B building permit fees for other than single-family dwellings codified in chapter 15.05.150.

109.2.2 Plan Review Fees.

109.2.2.1 When submittal documents are required, a plan review fee shall be paid. Such plan review fee shall be sixty-five percent of the building permit fee as shown in Tables B and G-1.

109.2.2.2 The plan review fees specified in this section are separate fees from the permit fees specified in this section and are in addition to the permit fees.

109.2.2.3. When submittal documents are incomplete or change so as to require additional plan review or when the project involves phased approval, an additional plan review fee shall be charged at the rate shown in Table G-1 or B.

109.2.3. Table G-1 grading permit fees codified in chapter 15.05.160

109.2.4 Manufactured home. A building permit will be required before any manufactured home shall be permitted in the city. A fee of one hundred twenty-five dollars shall be charged for mobile homes placed in mobile home parks, one hundred ninety for single wide manufactured homes, three hundred dollars for double or triple wide manufactured homes placed outside of established manufactured home parks.

Section 109.4 is amended to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee equal to the amount of the permit fee required by this chapter and said fee shall be in addition to the required permit fees. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 109.6 is amended to read as follows:

109.6 Refunds. The building official is authorized to establish a refund policy.

The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee no later than 180 days after the date of fee payment.

Section 113.1 is amended to read as follows:

113.1 General. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this code, and to hear any appeals hereunder, the Board of Adjustment of the City of Anacortes is hereby designated as the Board of Appeals. The Fire Chief of the City of Anacortes and the Building Official shall be non-voting, ex-officio members of said Board of Adjustment sitting as a Board of Appeals.

Section 3002.4 is amended to read as follows:

3002.4 Stretcher Requirements. In all structures four or more stories above grade plane or four or more stories below grade plane, and in all groups A, B, E, I, R1, R2, R4 and LC occupancies where elevators are installed, at least one elevator shall be provided for fire department emergency access to all floors. Such elevator car shall be provided with a minimum clear distance between walls or between walls and door including return panels, of not less than 86 inches by 54 inches (2184 mm by 1272 mm), and a minimum distance from wall to return panel of not less than 51 inches (1295 mm) with a 42-inch (1067 mm) side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 86 inches (2184 mm) by 26 inches (660 mm) in the horizontal position. The elevator(s) shall be identified by the international symbol for emergency medical services (Star of Life). The symbol shall not be less than 3 inches (76 mm) and placed inside on both sides of the hoist way doorframe. The symbol shall be placed no lower than 78 inches (1981 mm) from the floor level or higher than 84 inches (2134 mm) from floor level.

Exception: Elevators serving only one dwelling unit.

In buildings where one elevator does not serve all floors, two or more elevators may be used.

15.05.035 Adoption of the International Residential Code.

The International Residential Code, published by the International Code Council, as adopted by the state of Washington 51-51 WAC, together with any supplements thereto, 2012- 2015 Edition, be and they are adopted by reference with the following amendments. ~~Appendix S, Fire Sprinklers is not adopted.~~

Section R105.2 is amended to read as follows:

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures, provided the floor area does not exceed 144 square feet.
2. Fences not over 7 feet high.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways not more than 30 inches above adjacent grade and not over any basement or story below.

6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

Gas:

1. ~~Portable heating, cooking or clothes drying appliances.~~
2. ~~Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.~~
3. ~~Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.~~

Mechanical:

1. ~~Portable heating appliance.~~
2. ~~Portable ventilation appliances.~~
3. ~~Portable cooling unit.~~
4. ~~Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.~~
5. ~~Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.~~
6. ~~Portable evaporative cooler.~~
7. ~~Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.~~
8. ~~Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.~~

~~The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.~~

~~The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.~~

Section R105.5 is amended to read as follows:

R105.5 Expiration. If the work described in any building permit has not begun within one hundred eighty days from the date of issuance thereof, said permit shall expire. If the work described in any building permit has not been substantially completed within 18 months of the date of issuance thereof, said permit shall expire. Work on the project shall not proceed unless a permit renewal fee has been paid and a new permit issued. The renewal fee is half of the original building permit fee amount.

Section R108 is amended to read as follows:

Section R108. Fees.

R108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

R108.1.1 Application Fees. Prior to submitting building plans for a single family residence, a deposit of two hundred (\$200.00) dollars shall be paid to the city building department which deposit is non-refundable.

R108.2 Schedule of permit fees. On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

R108.2.1 Building permit fee. Building permit fees for single family residential permit shall be as specified in Table B codified in chapter 15.05.150.

R108.2.2 Mechanical permit fees. The fees for mechanical work and gas piping shall be as specified in Table M-1 codified in chapter 15.05.170.

R108.2.3 Plumbing permit fees. The fees for plumbing work shall be as specified in Table P-1 codified in chapter 15.05.180.

R108.2.4 Plan review fees.

1. When submittal documents are required by section R106.1, a plan review fee shall be paid. Such plan review fee shall be sixty-five (65) percent of the building permit fee as specified in Table B.
2. The plan review fees specified in this section are separate fees from the permit fees specified in this section and are in addition to the permit fees.
3. When submittal documents are incomplete or change so as to require additional plan review or when the project involves phased approval as defined in section R106.3.3, an additional plan review fee shall be charged at the rate shown in Table B.

R108.3 Building permit valuations. Building permit valuation shall be based on the current Building Valuation Data Sheet issued by the International Code Council.

R108.4 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

Section R108.5 is amended to read as follows:

R108.5 Refunds. The building official is authorized to establish a refund policy.

The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee no later than 180 days after the date of fee payment.

Section R112.1 is amended to read as follows:

R112.1 General In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this code, and to hear any appeals hereunder, the Board of Adjustment of the City of Anacortes is hereby designated as the Board of Appeals. The Fire Chief of the City of Anacortes and the Building Official shall be non-voting, ex-officio members of said Board of Adjustment sitting as a Board of Appeals.

Section R301 is amended as follows.

Table R301.2(1) The local values shall be as follows.

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND D SNOW LOAD	WIND SPEED D (mph)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
			Weathering	Frost line depth	Termite	Decay					
20	70-115	D1	Moderate	12	N-S	S-M	24	No	9/17/03	154	50

15.05.040 Adoption of International Mechanical Code.

The International Mechanical Code, 2012 2015 Edition with amendments as adopted by the state of Washington as Chapter 51-52 WAC be and it is adopted by reference.

Section 106.5.2 is amended to read as follows:

106.5.2 Fee schedule. The fees for mechanical work shall be as indicated in Table M-1 codified in chapter 15.05.170.

Section 108.4 is amended to read as follows:

108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be assessed a civil fine of not more than five hundred dollars (\$500.00) for each violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 is amended to read as follows:

108.5 Stop work orders. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than five hundred dollars (\$500). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 109.2 is amended to read as follows:

109.2 Board of Appeals. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this code, and to hear any appeals hereunder, the Board of Adjustment of the City of Anacortes is hereby designated as the Board of Appeals. The Fire Chief of the City of Anacortes and the Building Official shall be non-voting, ex-officio members of said Board of Adjustment sitting as a Board of Appeals.

~~15.05.050 Adoption of International Code for the Abatement of Dangerous Buildings.~~ Adoption of International Property Maintenance Code

The International Property Maintenance Code, 2015 Edition published by the International Code Council is adopted by reference.

The International Code for the Abatement of Dangerous Buildings, 2012 Edition, published by the International Conference of Building Officials, is adopted by reference with the following amendment:

Section 205.1 is amended to read as follows:

~~**Section 205.1 General.** In order to provide for final interpretation of the provisions of this code and to hear appeals provided for hereunder, the Board of Adjustment for the City of Anacortes is hereby designated as the Board of Appeals hereunder. The Fire Chief and the Building Official shall be non-voting, ex-officio members of said Board of Adjustment when sitting as the Board of Appeals under this code. Appeals to the board shall be processed in accordance with provisions contained in Section 501 of this code.~~

15.05.060 Adoption of International Fire Code.

The International Fire Code 2012 2015 Edition, as adopted by the state of Washington as Chapters 51-54A including Appendices B, C, and only Sections D101, D102, D103.5, D103.6, D105, of Appendix D and Appendix J, is adopted by reference with the following amendments:

Section 108.1 is amended to read as follows:

Section 108.1. In order to determine the suitability of alternate materials and type of construction and to provide for reasonable interpretations of the provisions of this Code, the Board of Adjustment of the City of Anacortes is hereby empowered to act as a Board of Appeals for this code. The Fire Chief and the Building Official shall be non-voting ex-official members of said Board of Appeals.

Section 503.6 is amended to read as follows.

Section 503.6.1 Security gates that hinder or prevent access to Fire Department or EMS agencies in any commercial occupancy, or property serving four (4) or more residential occupancies shall require an approved automatic opener activated by opticom and a secondary means to manually open the gate in the event of power failure.

Section 5704.2.14 is amended to read as follows.

Section 5704.2.14.3 The removal of underground storage tanks must be performed by, or directly supervised, by an individual certified by the International Code Council as and Underground Storage Tank Decommissioner or other approved certification.

15.05.070 Adoption of Uniform Plumbing Code and Uniform Plumbing Code Standards.

The Uniform Plumbing Code and Uniform Plumbing Code Standards, ~~2012~~ 2015 Edition, as adopted by the state of Washington as Chapters 51-56 WAC, be and they are adopted.

Section 103.4 shall be amended as follows:

103.4 Permit Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule Table P-1 codified in chapter 15.05.180.

Section 103.4.2 shall be amended as follows:

103.4.2 Plan review Fees. When a plan or other data is required to be submitted by 103.2.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be 65 percent of the Plumbing Permit fees as shown in Table P-1.

The plan review fees specified in this subsection are separate fees from the permit fees specified in this section and are in addition to the permit fees.

When plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate shown in Table P-1.

15.05.085 Adoption of standards for manufactured home installation.

~~Sections 296-150M-0600 through and including 296-150M-0730 of Chapter 296-150M, Washington Administrative Code are adopted by reference.~~

Installation of factory built housing and commercial structures, RCW 43.22.460, together with WAC 296-150C-0540, and the installation of manufactured and mobile homes, RCW 43.22.440 and WAC 296-150M-0650.

15.05.090 ~~Washington State Energy Code.~~ International Energy Conservation Code

~~The 2012 Washington State Energy Code, as written by the Washington State Building Code Council and filed as Chapter 51-11R WAC, Residential Provisions and Chapter 51-11C WAC, Commercial Provisions, of the Washington Administrative Code is adopted by reference.~~

The International Energy Conservation Code, 2015 Edition, for residential and commercial, published by the International Code Council, together with supplements and amendments thereto, per Chapters 51-11R and 51-11C WAC.

15.05.110 Administrative authority.

The building code of the city shall be administered and enforced by the building official of the city. The building official of the city or his designee shall be deemed to be the authority charged with enforcement as defined in Section 104 of the International Building Code, Section 103 of the International Mechanical Code, Section 103 of the International Fuel Gas Code. The building official or his designee shall also be deemed the "authority having jurisdiction," as such term is defined in Section 102 of the Uniform Plumbing Code, for the purpose of enforcing and administering the provisions of the Uniform Plumbing Code.

15.05.120 Unlawful acts.

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, cause the same to be done, contrary to or in violation of any of the provisions of this chapter and the codes adopted by reference.

15.05.130 Violation—Penalty.

Notwithstanding the provisions of Section 113 of the International Building Code, Section 113 of the International Residential Code, Section 108 of the International Mechanical Code, Section 108 of the International Fuel Gas Code, Section 109 of the International Fire Code, Section 106 of the Washington State Energy Conservation Code, Section 107 of the Washington State Ventilation and Indoor Air Quality Code, Part I, Section 102.3 of the Uniform Plumbing Code, any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued, or permitted and upon conviction of any such violation such persons shall be punishable by a fine of not more than five hundred dollars.

15.05.150 Permit Fee Schedule

**TABLE NO. B
BUILDING PERMIT FEES**

Total Valuation	Fee
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00, plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00, plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00, plus \$10.10 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00, plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00, plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00, plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00, plus \$3.65 for each additional \$1,000.00 or fraction thereof

Other Inspections and Fees

1. Inspections outside of normal business hours (minimum charge—two hours)	\$55.00 per hour
2. Reinspection fees assessed after the first reinspection	\$55.00 per hour

3. Inspections for which no fee is specifically indicated (minimum charge—one-half hour)	\$55.00 per hour
4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge—one-half hour)	\$55.00 per hour

15.05.160 Grading fees.

**TABLE G-1
GRADING PERMIT FEES¹**

Total Valuation	Fee
50 cubic yards or less	\$23.50
51 to 100 cubic yards	\$37.00
101 to 1,000 cubic yards	\$37.00 for the first 100 cubic yards, plus \$17.50 for each additional 100 cubic yards or fraction thereof
1,001 to 10,000 cubic yards	\$194.50 for the first 1,000 cubic yards, plus \$14.50 for each additional 1,000 cubic yards or fraction thereof
10,001 to 100,000 cubic yards	\$325.00 for the first 1,000 cubic yards, plus \$66.00 for each additional 10,000 cubic yards or fraction thereof
100,001 cubic yards or more	\$919.00 for the first 100,000 cubic yards, plus \$36.50 for each additional 10,000 cubic yards or fraction thereof

Other Inspections and Fees

1. Inspections outside of normal business hours (minimum charge—two hours)	\$55.00 per hour
2. Reinspection fee assessed after the first reinspection	\$55.00 per hour
3. Inspections for which no fee is specifically indicated (minimum charge—one-half hour)	\$55.00 per hour

¹ The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

GRADING PLAN REVIEW FEES

50 cubic yards or less	No fee
------------------------	--------

51 to 100 cubic yards	\$23.50
101 to 1,000 cubic yards	\$37.00
1,001 to 10,000 cubic yards	\$49.25
10,001 to 100,000 cubic yards	\$49.25 for the first 10,000 cubic yards, plus \$24.50 for each additional 10,000 cubic yards or fraction thereof
100,001 to 200,000 cubic yards	\$269.75 for the first 100,000 cubic yards, plus \$13.25 for each additional 10,000 cubic yards or fraction thereof
200,001 cubic yards or more	\$402.25 for the first 100,000 cubic yards, plus \$7.25 for each additional 10,000 cubic yards or fraction thereof
Other Fees:	
Additional plan review required by changes, additions or revisions to approved plans (minimum charge—one-half hour)	\$55.00 per hour

15.05.170 Mechanical permit fees.

**TABLE M-1
MECHANICAL PERMIT FEES**

Permit Issuance and Heaters	
1. For the issuance of each mechanical permit	\$23.50
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finalized	\$7.25
Unit Fee Schedule	
(Note: The following do not include permit-issuing fee.)	
1. Furnaces	
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW)	\$14.80
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW)	\$18.20
For the installation or relocation of each floor furnace, including vent	\$14.80
For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	\$14.80
2. Appliance Vents	
For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	\$7.25

3. Repairs or Additions	
For the repair of, alteration, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$13.70
4. Boilers, Compressors and Absorption Systems	
For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3 kW)	\$14.70
For the installation or relocation of each boiler or compressor over three horsepower (10.6 kW), to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW), to and including 500,000 Btu/h (146.6 kW)	\$27.15
For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW), to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW), to and including 1,000,000 Btu/h (293.1 kW)	\$37.25
For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW), to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW), to and including 1,750,000 Btu/h (512.9 kW)	\$55.45
For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW)	\$92.65
5. Air Handlers	
For each air-handling unit, to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto	\$10.65
Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.	
For each air-handling unit over 10,000 cfm (4719 L/s)	\$18.10
6. Evaporative Coolers	
For each evaporative cooler other than portable type	\$10.65
7. Ventilation and Exhaust	
For each ventilation fan connected to a single duct	\$7.25
For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	\$10.65
For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	\$10.65
8. Incinerators	
For the installation or relocation of each domestic-type incinerator	\$18.20
For the installation or relocation of each commercial or industrial-type incinerator	\$14.50
9. Miscellaneous	

For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table	\$10.65
Other Inspections and Fees	
1. Inspections outside of normal business hours, per hour (minimum charge—two hours)	\$55.00
2. Reinspection fees assessed under provisions of Section 116.6, per inspection	\$55.00
3. Inspections for which no fee is specifically indicated, per hour (minimum charge—one-half hour)	\$55.00
4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge—one-half hour)	\$55.00

* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

Gas Piping System	
For each gas piping system of one to four outlets	\$4.75
For each additional outlet exceeding four, each	\$1.10
When Chapter 14 is applicable, permit fees for process piping shall be as follows:	
For each hazardous process piping system (HPP) of one to four outlets	\$5.00
For each hazardous process piping of five or more outlets, for each outlet	\$1.00
For each non hazardous process piping system (NPP) of one to four outlets	\$2.00
For each non hazardous piping system of five or more outlets, per outlet	\$0.50

15.05.180 Plumbing permit fees.

**TABLE P1
PLUMBING PERMIT FEES**

Permit Issuance	
1 For issuing each permit	\$20.00
2. For issuing each supplemental permit	\$10.00
Unit Fee Schedule (in addition to items 1 and 2 above)	
1. For each plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and backflow protection therefore)	\$7.00

2. For each building sewer and each trailer park sewer	\$15.00
3. Rainwater systems, per drain (inside building)	\$7.00
4. For each cesspool (where permitted)	\$25.00
5. For each private sewage disposal system	\$40.00
6. For each water heater and/or vent	\$7.00
7. For each gas piping system of one to five outlets	\$5.00
8. For each additional gas piping system outlet, per outlet	\$1.00
9. For each industrial waste pretreatment interceptor, including its trap and vent, except kitchen-type grease interceptors functioning as fixture traps	\$7.00
10. For each installation, alteration or repair of water piping and/or water treating equipment, each	\$7.00
11. For each repair or alteration of drainage or vent piping, each fixture	\$7.00
12. For each lawn sprinkler system on any one meter, including backflow protection devices therefore	\$7.00
13. For atmospheric-type vacuum breakers not included in item 12:	
1 to 5	\$5.00
over 5, each	\$1.00
14. For each backflow protective device other than atmospheric type vacuum breakers:	
2 inch (51 mm) diameter and smaller	\$7.00
over 2 inch (51 mm) diameter	\$15.00
15. For each gray water system	\$40.00
16. For initial installation and testing for a reclaimed water system	\$30.00*
17. For each annual cross-connection testing of a reclaimed water system (excluding initial test)	\$30.00*
18. For each medical gas piping system serving one to five inlet(s)/outlet(s) for a specific gas	\$50.00
19. For each additional medical gas inlet(s)/outlet(s)	
Other Inspections and Fees	
1. Inspections outside of normal business hours	\$55.00
2. Reinspection fee	\$55.00
3. Inspections for which no fee is specifically indicated	\$55.00
4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge—one-half hour)	\$55.00

* Per hour for each hour worked or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervisions, overhead, equipment, hourly wages and fringe benefits of all the employees involved.

Chapter 15.12 – SMOKE DETECTORS

• Sections: 15.12.010 – Definitions:

A. Apartment or Apartment Building. A building or a portion of a building arranged or designed to be occupied by families or persons living independent of each other and containing in excess of two such units.

B. Motel or Hotel Building. A building or portion thereof divided into three or more separate units, each containing sleeping facilities, and designed or used for the purpose of renting such units on a daily, weekly, or monthly basis.

C. Dwelling Unit. One room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

D. Efficiency Dwelling Unit. A dwelling unit not containing a room designated for sleeping purposes apart and separate from the area utilized for normal living.

(Ord. 1743 § 2, 1978)

15.12.020 – Maintenance responsibility.

All detectors of products of combustion other than heat required herein shall at all times be kept in working order and shall be properly maintained. (Ord. 1743 § 3, 1978)

15.12.030 – Specifications for apartments.

Every dwelling unit within an apartment building, and every separate unit within a motel or hotel building, as hereinafter defined, shall be provided with approved detectors of products of combustion other than heat, listed by Underwriters Laboratories Inc. and permanently connected to a standard one hundred twenty volt A.C. electrical outlet box and/or conforming to standards of the International Building Code as adopted by the city. In addition, such approved detectors of products of combustion other than heat shall also be installed in all interior corridors connecting dwelling units within an apartment building at such intervals and at such locations as shall be determined necessary by the fire chief of the city, or his designated representative. Detectors shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms for sleeping purposes. In an efficiency dwelling unit, the detector shall be centrally located on the ceiling of the main room. Where sleeping rooms are on an upper level, the detector shall be placed at the center of the ceiling directly above the stairway. All detectors shall be located within twelve inches of the ceiling. Care shall be exercised to insure that the installation will not interfere with the operating characteristics of the detector. When actuated, the detector shall provide an alarm sufficient in volume to be distinctly heard in the sleeping area with doors closed. All apartment motel and hotel buildings shall meet the requirements specified in this section on or before January 1, 1980. (Ord. 2670 (part), 2004; Ord. 1743 § 1, 1978)



City Council Agenda Item

Meeting Date: 6/27/2016 **Agenda Item:** 7b - Daniels Field Turf update

Subject: Replacing grass field with artificial turf at Volunteer Park – Alton R. Daniels Field

Staff Contact: Gary Robinson

Approved for Submittal to Council by	
x	Laurie Gere, Mayor

Action Type	
x	Staff Report

Summary Statement: We would like to replace the grass field at Alton R. Daniels Field with an artificial surface with the use of private funds to create a field that is easier to maintain than a grass field and provides much higher playability (more games, closer together in various weather conditions).

Background: The City has worked with various private entities including the Daniels family, the Anacortes Parks Foundation and the Anacortes Baseball Club over an extended period of time to create a baseball / athletic field / park at Volunteer Park that is well regarded in the County. The Daniels Family has donated hundreds of thousands of dollars to the effort and have recently made a donation of \$500,000 to the Anacortes Park Foundation to be used to put in an artificial surface at the Alton R. Daniels Field. The Parks Department has long desired to have an artificial turf baseball field similar to our artificial turf softball / little league field as that surface is much preferred from a recreational standpoint over natural grass. The Parks Foundation has an opportunity to get the ground work done at a very reasonable price with a local contractor and significant donations from many local businesses at a price of approximately \$200,000 of Parks Foundation funds donated by the Daniels Family. The contractor is available to do the work now and we would like to start as soon as we can get the necessary approvals. We would like to get the ground work done and then embark on securing the remaining funding and approvals for the turf to be installed. The turf infill material has the potential to be a bit controversial and will require additional discussion with Council as the material that has been used in the past as infill (crumb rubber) has been questioned as far as it's health impacts on some field users. We are likely to be proposing a material that mitigates that concern by coating the crumb rubber and thereby containing it. There is quite a bit of information available from various perspectives on the validity of the concerns that we can look in to later as we decide exactly what fill material to use.

Previous Council/Committee Action: This has been briefly discussed with the City Council Parks Sub-Committee and it has generally been known that there has been an interest in an artificial turf baseball field.

Competing Viewpoints Considered: It is my intent to consider competing views of the infill material as we proceed.

Alternative Actions: We could choose to not move forward at this time which would delay the project and would likely increase the costs.



City Council Agenda Bill

Meeting Date: 6/27/2016 **Agenda Item:**

Subject: 38th Street Short Plat, SPL-2015-0006

Staff Contact: Don Measamer, Planning Director

Approved for Submittal to Council by	
	Laurie Gere, Mayor
	Steve Hoglund, Finance Director
	Darcy Swetnam, City Attorney
X	Don Measamer, Planning Director

Action Type	
	Ordinance No.
	Code Revision?
	Resolution No.
	Contract
	Public Hearing
	Consent Agenda

Summary Statement:

On June 6, 2016, the appeal of the Administrator's tentative preliminary approval of the 38th Street Short Plat was heard by City Council. Council denied the subject appeal and affirmed the tentative preliminary approval. Attached hereto are City Council's Draft Findings of Fact, Conclusions of Law, Decision, & Exhibits.

Attachments:

Exhibit A, City Council's Staff Report on the Appeal of the 38th Street Short Plat

Exhibit B, Planning Director Approved Decision, Staff Report, & Exhibits

Exhibit C, Notice of Decision & Notice of Hearing

Exhibit D, Appeal(s) Received

Exhibit E, Applicant /Landowner's Response to Appeal

Exhibit F, Appellant Reply to Applicant

Exhibit G, Additional Information Provided to City Council (Drainage Analysis, City Attorney's Letter to Parties of Record, & Public Hearing Rules & Procedures)

Exhibit H, PCED's Presentation to City Council

Exhibit I, Project Engineer /Ravnik & Associates' Presentation to City Council

Exhibit J, Applicant /Landowner's Presentation to City Council

Exhibit K, Appellant's Presentation to City Council



**CITY COUNCIL'S
FINDINGS OF FACT, CONCLUSIONS OF LAW,
& DECISION:**

**OPEN-RECORD PUBLIC
HEARING:**

June 6, 2016, @ 6:00 PM

PROJECT NAME:

38th Street Short Plat

FILE NUMBER:

SPL-2015-0006

**APPLICANT &
LANDOWNER:**

Tom Allen
Allen Family Investments, LLC
P.O. Box 817
Anacortes, WA 98221

APPELLANT:

Sarah Holahan
1511 38th Street
Anacortes, WA 98221

PROJECT ENGINEER:

John Ravnik
Ravnik & Associates
PO Box 361
Burlington, WA 98233

PROJECT SURVEYOR:

Parish Land Surveying
P.O. Box 314
Lopez Island, WA 98261

**PROJECT
ADMINISTRATOR:**

Don Measamer, Director
Planning, Community &
Economic Development
904 6th Street
Anacortes, WA 98221

PROJECT PLANNER: Kevin Cricchio, AICP
Associate Planner
City of Anacortes
904 6th Street
Anacortes, WA 98221

SUBJECT PROPOSAL: Appeal of tentative preliminary approved nine (9) lot short plat per AMC 16.08.040.

PROJECT LOCATION: The subject property is located on the south side of 38th Street between “M” Avenue and “J” Avenue within a portion of Section 25; Township 35 North; Range 01 East; Willamette Meridian.

SUBJECT PARCEL: P32057, P32056, & P32055

ACREAGE: 2.31 gross acres (including ½ abutting ROW)
1.96 net acres

CURRENT ZONING: Residential (R2) Zoning District

COMP PLAN DESIGNATION: Residential Low Density (R1)

MAXIMUM DENSITY: - R2 Zone permits 4 dwelling units per gross acre
- Proposed project density of 3.9 dwelling units per gross acre (9 DU/ 2.31 Gross Acre).

**SURROUNDING ZONING
& LAND USES:**

Direction:	Zoning:	Land Uses:
North:	Residential (R2) Zoning District	Single-Family Residential
South:	Residential (R2) Zoning District	Single-Family Residential
East:	Residential (R2) Zoning District	Single-Family Residential
West:	Residential (R2) Zoning District	Single-Family Residential

UTILITIES:

- **Potable Water:** City of Anacortes
- **Sanitary Sewer:** City of Anacortes
- **Storm-water:** City of Anacortes
- **Garbage:** City of Anacortes

FIRE:

- City of Anacortes

POLICE:

- City of Anacortes

THIS MATTER, having come before the City Council of the City of Anacortes on appeal of the Administrator's tentative preliminary approval of the above-referenced short plat, and the applicant, appellants, all parties of record, and members of the public having had an opportunity to appear and present evidence at an open-public hearing in accordance with AMC 16.08.040(B), **NOW** the City Council of the City of Anacortes hereby adopts the following Findings of Fact, Conclusions of Law, and Decision:

FINDINGS OF FACT:

1. All facts presented in the administrator's tentative preliminary approval dated April 21, 2016, are hereby affirmed and incorporated by reference.
2. All proper notices of application, SEPA and short plat tentative preliminary approval were provided in accordance with AMC Titles 16 and 17.
3. The subject property is located in the R2 Zoning District and is 2.31 gross acres in area.
4. The applicant submitted all necessary materials to support his application.
5. A Notice of Decision of tentative preliminary approval was mailed to parties of record and landowners within 300 feet of the subject property on April 21, 2016. Additionally, notice was posted on to the City's website on April 21, 2016.
6. The fifteen (15) day appeal period ended at 5:00 PM on May 6, 2016.
7. On May 3, 2016, the City received a proper and timely appeal from Mr. Sean Kelly who resides at 1501 38th Street, Anacortes, WA. Following the filing of the appeal, Mr. Kelly met with the applicant /landowner regarding the concerns expressed therein.
8. On May 6, 2016, Mr. Sean Kelly submitted a letter to the City stating that he withdrew his appeal.
9. On May 6, 2016, the City received a proper and timely appeal from Sara Holahan who resides at 1511 38th Street, Anacortes, WA. Ms. Holahan's appeal alleges the following assignments of error:
 - A) Ms. Holahan alleges that the storm-water plan submitted contains several inaccuracies. As required by AMC 16.20.070 & as conditioned in the tentative preliminary approval, the developer will be required to provide suitable drainage facilities for any surface run-off affecting the subdivision. The developer will also be required to make downstream improvements where necessary to avoid problems related to increases in stormwater run-off associated with the development. This is stated in AMC 16.20.070. Additionally, storm water conveyance both on-site and off-site will be required to comply with City Storm drainage requirements consistent with the Department of Ecology's NPDS Permit.
 - B) Ms. Holahan alleges that there are setback mistakes shown on the site plan. Setback requirements for each of the 7 residences to be constructed will be reviewed for conformance with AMC 17.36.060 at time of building permit application submittal.

Additionally, the 2 residences slated for retention as shown on the short plat map have been determined to comply with the R2 Zoning District setback standards per AMC 17.36.060.

- C) Ms. Holahan alleges that access to the lots does not comply with the short cul-de-sac standard. The subject short plat does comply with the short cul-de-sac standard per AMC 16.32.020. As conditioned the proposed cul-de-sac will not be more than one hundred and fifty (150) feet in length. Second, pedestrian facilities will be five (5) feet wide along the perimeter of the cul-de-sac and along 38th Street adjacent to the project site. Road width will not be less than twenty-four feet from curb to curb with a minimum of eighty (80) foot diameter cul-de-sac. Lastly, the cul-de-sac will not serve more than six (6) of the proposed nine (9) lots within the short plat as lots 1, 3, and 5 will be served by 38th Street.
 - D) Ms. Holahan claims that the tree preservation plan is inadequate. According to the submitted Tree Preservation Plan, there are a total of fifty-eight (58) significant trees located on the project site of which the applicant proposes to retain a total of twenty-one (21) significant trees. Since the subject property is 85,451 net square feet in area, the developer is required to have a minimum of eight-six (86) tree unit credits. The twenty-one (21) trees that the applicant wishes to retain add up to ninety-eight (98) tree unit credits. Therefore, conformance with AMC Chapter 16.50 has been met.
 - E) Ms. Holahan claims that the short plat is inconsistent with the Comprehensive Plan. The subject property lies in the Residential 2 (R2) Zoning District and within the corresponding Residential Low Density Comprehensive Plan Land Use Designation. Single-family residences are permitted outright in the underlying zone on lots 7,500 square or more in lot size per AMC 17.36.050.
 - F) Ms. Holahan cites perceived pedestrian, parking & traffic concerns. According to the Public Works Department's Engineering Standards STR-30, the subject development is considered a level one residential development and does not trigger a Traffic Impact Analysis/Study. Additionally, street improvements along the project frontage of 38th Street and around the perimeter of the new cul-de-sac road right-of-way are required to include curb, gutter and a five foot wide sidewalk per AMC 16.32.020. Lastly, per AMC 17.46.020, two off-street parking spaces per residence are required. Conformance with this requirement will be reviewed at time of building permit application submittal. Additionally, per AMC 16.32.020, two off-street parking spaces will be provided for each dwelling unit in addition to garages.
10. The City provided proper notice of the hearing concerning the subject appeal. A Notice of Hearing concerning the appeal of the tentative preliminary approval of the 38th Street Short Plat was published in the Anacortes American Newspaper on May 25, 2016. Notice was posted at city hall, the library, the local USPS office, and on the city's website on May 18, 2016. The Notice of Hearing was also mailed to the applicant/ landowner, appellant, parties of record, and neighboring landowner on May 23, 2016. The project site was posted with the Notice of Hearing in two different locations on May 19, 2016.
11. Any finding of fact better deemed a conclusion of law is hereby adopted as such.

CONCLUSIONS OF LAW:

1. All parties have received proper notice of open-record appeals hearing per AMC § 16.08.040(B).
2. All parties have had the opportunity to be heard per AMC § 16.08.031 and § 16.08.040.
3. All appeals were filed properly and within all required time limits.
4. Council, in hearing the present appeals, is acting in its quasi-judicial capacity.
5. Since the appellant Mr. Sean Kelly, withdrew his appeal of the administratively approved short plat, alleged assignments of error don't need to be considered in this decision.
6. In evaluating an appeal of the administrator's tentative approval of a short plat, City Council has only considered those issues which have been appealed. AMC § 16.08.040 properly provides the right and procedure for aggrieved parties to appeal a decision of the administrator on a short plat application to City Council. The prescribed procedure requires the appellant to specifically state the grounds for appeal, and that a public hearing be held on the appeal. Council must only consider those issues that are appealed and, in hearing the appeal, must limit the scope of its decision to the specific errors assigned.
7. AMC § 16.08.030(B) provides that "[i]f the administrator finds that the proposed short plat is consistent with the Comprehensive Plan, SEPA requirements, and zoning requirements for the district, and that there is adequate provision for drainage, sewage disposal, water supply and access for each lot, that the requirements of this title are met, and the short plat would not landlock other parcels, he or she shall approve the application." Per AMC § 16.04.080, "shall" is always mandatory. Therefore, if the administrator finds that the proposed short plat meets all of the requirements in § 16.08.030(B) AMC, the administrator must approve it and has no discretion to deny the application.
8. The City Council had determined that the substantial evidence standard is the appropriate standard of review for the subject appeal.
9. If Council determines that there is substantial evidence to support the administrator's decision that the proposed short plat is consistent with the Comprehensive Plan, SEPA requirements, and zoning requirements for the zoning district, water supply and access for each lot, that the requirements of Title 16 are met, and the short plat would not landlock other parcels, on the assignments of error at issue, the appeal must be denied.
10. As conditioned, the proposed short subdivision application is consistent with the plans, documents, and criteria outlined in AMC § 16.08.030(B).
11. There is substantial evidence to support the administrator's decision that the size and shape of the lots in the proposed short plat complies with AMC Titles 16 and 17.
12. There is substantial evidence to support the administrator's decision that the proposed short plat is consistent with AMC 16.20.040(E).
13. There is substantial evidence to support the administrator's decision that the proposed short plat is consistent with the 2012 Comprehensive Plan.

14. There is substantial evidence to support the administrator's decision that the proposed short plat is consistent with density restrictions for the area.
15. There is substantial evidence to support the administrator's decision that the proposed short plat is consistent with the proper calculation of tree unit credits under AMC 16.50.
16. There is substantial evidence to support the administrator's decision that the proposed short plat is consistent with the short cul-de-sac standard under AMC 16.32.020.
17. There is substantial evidence to support the administrator's decision that the proposed short plat is consistent with all other requirements as laid out in AMC Titles 16 and 17, including but not limited to, all provisions of Chapter 16.08 AMC; 16.20 AMC; 17.36, 17.41 AMC, 17.46 AMC, 13.36 AMC; the setback restrictions in 17.36.060 AMC; and all regulations regarding road width, traffic, and pedestrian safety.
18. There is substantial evidence to support the conditions imposed in the administrator's tentative preliminary approval.
19. The proposed short plat complies with the requirements of RCW 58.17.060, as the City has properly designated the property for single-family use in the Land Use Element of the Anacortes Comprehensive Plan and zoned the site R2, indicating there is a public need. It serves the public interest to develop the property as a single-family short plat/subdivision in conformance with those land use and zoning standards. The standards of the City's Subdivision Ordinance are further City standards for what meets the public use and interest in the City; the proposed short plat conforms to all these standards. Additionally, the proposed short plat meets the minimum requirements of the Anacortes Municipal Code, which are designated as the official standards for public health, safety and general welfare.
20. Any conclusion of law better deemed a finding of fact is hereby adopted as such.

DECISION:

NOW, THEREFORE, the City Council of the City of Anacortes, having heard the appeal from the appellant named herein, hereby denies the appeal and affirms the tentative preliminary approval of 38th Street Short Plat, SPL-2015-0006, including all findings of fact, conclusions of law, and conditions on the appeal. Council hereby directs the administrator to issue tentative preliminary short plat approval in accordance herewith.

THE MOTION WAS INTRODUCED, PASSED, AND CARRIED BY THE CITY COUNCIL OF THE CITY OF ANACORTES on this 6th day of June, 2016.

CITY OF ANACORTES, WASHINGTON

LAURIE M. GERE, MAYOR

Approved as to form and legality:

ATTEST:

Darcy Swetnam, WSBA# 40530
City Attorney

Steve D. Hoglund, City Clerk Treasurer

JUDICIAL APPEAL:

AMC § 17.08.090 – Notice of Appeal of any final action taken under this title must be filed with the Superior Court and served on the city attorney for the city within twenty-one (21) days of the date on which such final action was taken.

EXHIBIT NUMBER:	NAME OF EXHIBIT:
Exhibit A	City Council's Staff Report on the Appeal of the 38 th Street Short Plat
Exhibit B	Planning Director Approved Decision, Staff Report, & Exhibits
Exhibit C	Notice of Decision & Notice of Hearing
Exhibit D	Appeal(s) Received
Exhibit E	Applicant /Landowner's Response to Appeal
Exhibit F	Appellant Reply to Applicant
Exhibit G	Additional Information Provided to City Council (Drainage Analysis, City Attorney's Letter to Parties of Record, & Public Hearing Rules & Procedures)
Exhibit H	PCED's Presentation to City Council
Exhibit I	Project Engineer /Ravnik & Associates' Presentation to City Council
Exhibit J	Applicant /Landowner's Presentation to City Council
Exhibit K	Appellant's Presentation to City Council

EXHIBIT A

CITY COUNCIL'S STAFF REPORT ON THE APPEAL OF THE 38TH STREET SHORT PLAT:



**CITY COUNCIL'S
STAFF REPORT ON THE APPEAL OF THE
38TH STREET SHORT PLAT:**

DATE: June 6, 2016

PROJECT NAME: 38TH Street Short Plat

FILE NUMBER: SPL-2015-0006

**APPLICANT &
LANDOWNER:** Tom Allen
P.O. Box 817
Anacortes, WA 98221

PROJECT SURVEYOR: Parish Surveying
PO Box 314
Lopez Island, WA 98261

PROJECT ENGINEER: John Ravnik
Ravnik & Associates
PO Box 361
Burlington, WA 98233

PROJECT PLANNER: Kevin Cricchio, AICP
Associate Planner
City of Anacortes
904 6th Street
Anacortes, WA 98221

SUBJECT PROPOSAL: Appeal of administrative tentatively approved nine (9) lot short plat per AMC 16.08.040.

PROJECT LOCATION: The subject property is located on the south side of 38th Street between "M" Avenue and "J" Avenue within a portion of Section 25; Township 35 North; Range 01 East; Willamette Meridian.

SUBJECT PARCELS: P32057, P32056, & P32055

CURRENT ZONING: Residential (R2) Zoning District

**COMP PLAN
DESIGNATION:** Residential Low Density

SURROUNDING ZONING & LAND USES:

Direction:	Zoning:	Land Uses:
North:	Residential (R2) Zoning District	Single-Family Residential
South:	Residential (R2) Zoning District	Single-Family Residential
East:	Residential (R2) Zoning District	Single-Family Residential
West:	Residential (R2) Zoning District	Single-Family Residential

LOT SQUARE FOOTAGE & ACREAGE:

Net Square Footage	85,451 square feet	Net Acreage	1.96 Acres
Gross Square Footage	100,767.93 square feet which includes 15,316.93 SQ' of ½ the abutting ROW + NSF above.	Gross Acreage	2.31 Acres

MAXIMUM DENSITY:

1. The maximum permitted density in the R2 Zoning District is four (4) dwelling units per gross acre pursuant to AMC § 17.36.070.
2. 2.31 Gross Acres multiplied (X) by 4 dwelling units per gross acre equals (=) 9.24 dwelling units permitted by code. The applicant proposes a project density of 3.9 dwelling units per gross acre (9 DU/ 2.31 Gross Acre).
3. The applicant has applied for nine (9) dwelling units /lots as part of the subject short plat application.
4. The applicant has complied with the maximum permitted density for the R2 Zoning District.

MINIMUM LOT SIZE:

1. The minimum lot size for lots created in the R2 Zoning District is 7,500 square feet per lot pursuant to AMC § 17.36.050.
2. Each of the nine (9) lots that the applicant proposes as part of the subject short plat will comply with the zone's minimum lot size requirement.

UTILITIES:

- **Potable Water:** City of Anacortes
- **Sanitary Sewer:** City of Anacortes

- **Storm-water:** City of Anacortes
- **Garbage:** City of Anacortes

FIRE PROTECTION:

- City of Anacortes

POLICE PROTECTION:

- City of Anacortes

I. BACKGROUND INFORMATION:

A. SITE LOCATION/DESCRIPTION:

1. The subject property consists of three (3) Skagit County Assessor parcel numbers as listed above. Three (3) single-family residences used to reside on the project site. One (1) residence was recently demolished leaving two (2) that remain. The applicant wishes to retain these two (2) residences as part of the proposed nine (9) lot short plat.
2. The site is relatively flat and moderately treed. Those trees designated for retention are shown on the Tree Preservation Plan.

B. CUT & FILL:

1. Within the property: The proposed cut includes approximately 763 cubic yards to be stock piled for common lot fill around the site, but not under, structures.
2. Within the alignment of proposed roads: The proposed cut and fill are approximately 450 cubic yards and 350 cubic yards, respectively.

C. REQUEST:

1. The applicant has applied for a short plat to create nine (9) lots from the subject property that is 2.31 gross acres in area.
2. Each of the nine proposed lots meet or exceed the 7,500 minimum lot size for the R2 Zone.
3. According to AMC 17.36.020, single-family dwellings are permitted outright in the R2 Zoning District.

D. PROJECT CHRONOLOGY/BACKGROUND:

1. On August 25, 2015, a pre-application conference /DRG meeting was held by staff with the applicant concerning the subject short plat.
2. On December 24, 2015, the applicant/landowner submitted the subject short plat application to the City of Anacortes' Planning Department for review.
3. The subject application was deemed incomplete on January 20, 2016. Additional revisions were requested in the letter of incomplete.
4. On March 3, 2016, revisions were submitted by the applicant to the City for review.

5. Following a review of the revisions submitted, the subject short plat was deemed complete on March 16, 2016.
6. The 15-day public comment period for the subject short plat ended at 5:00 PM on March 31, 2016.
7. On April 21, 2016, the subject short plat was tentatively approved by the Planning Director.

E. NOTICE OF APPLICATION:

1. A Notice of Application with Optional SEPA DNS was published in the Anacortes American Newspaper on March 16, 2016.
2. This notice was also posted on the subject property in two (2) different locations on March 11, 2016.
3. Notice was also posted at the library, city hall, the local USPS office, and on the City's website on March 11, 2016.
4. Neighboring landowners of property within 300-feet of the subject property were mailed the Notice of Application on March 11, 2016.
5. Departments and agencies of jurisdiction were also solicited for comment on March 12, 2016.
6. The 15-day public comment period ended at 5:00 PM on March 31, 2016.

F. CRITICAL AREAS:

1. No known critical areas are located either on or within 300 feet proximity to the subject property.

G. TREE PRESERVATION:

1. According to AMC 16.50.050, a tree preservation plan is required as part of a short plat application. Accordingly, the applicant had Urban Forestry Services of Mount Vernon, Washington, prepare a tree preservation plan dated February 25, 2016.
2. According to this report there are a total of fifty-eight (58) significant trees located on the project site of which the applicant proposes to retain a total of twenty-one (21) significant trees.
3. Since the subject property is 85,451 net square feet in area, the developer is required to have a minimum of eight-six (86) tree unit credits. The twenty-one (21) trees that the applicant wishes to retain add up to ninety-eight (98) tree unit credits. Therefore, conformance with AMC Chapter 16.50 has been met.

H. SEPA ENVIRONMENTAL REVIEW:

1. The creation of five (5) lots or more via a short plat requires SEPA environmental review pursuant to AMC § 16.080.010.

2. Notice of Application with Optional SEPA DNS was run concurrent with the Notice of Application as discussed above.
3. On March 14, 2016, the Notice of Application with Optional SEPA DNS, application material, and site plan(s) associated with a proposed 9 lot short plat was emailed to the SEPA register for posting.
4. On April 21, 2016, a SEPA MDNS was issued.
5. The SEPA MDNS was emailed to the SEPA Register on April 21, 2016, for posting onto the SEPA Register.

I. TRANSPORTATION:

1. The site will be accessed by a new public road off of 38th Street which is designated as a local residential street.

J. NOTICE OF DECISION:

1. A Notice of Decision of tentative approval was mailed to parties of record and landowners within 300 feet of the subject property on April 21, 2016. Additionally, notice was posted on to the City's website on April 21, 2016.
2. The fifteen (15) day appeal period ended at 5:00 PM on May 6, 2016.

K. APPEALS RECEIVED:

1. On May 3, 2016, the City of Anacortes received an appeal from neighboring landowner Mr. Sean Kelly who resides at 1501 38th Street, Anacortes, WA. Following the filing of the appeal, Mr. Kelly met with the applicant /landowner regarding the concerns expressed therein.
2. On May 6, 2016, Mr. Sean Kelly submitted a letter stating that his appeal was withdrawn following reaching a satisfactory agreement with the applicant /landowner – Mr. Tom Allen.
3. On May 6, 2016, an appeal was received from neighboring landowner Ms. Sara Holahan who resides at 1511 38th Street, Anacortes, WA.

L. NOTICE OF HEARING:

1. A Notice of Hearing concerning the appeal of the administratively approved 38th Street Short Plat was published in the Anacortes American Newspaper on May 25, 2016.
2. Notice was posted at city hall, the library, the local USPS office, and on the city's website on May 18, 2016.
3. The Notice of Hearing was also mailed to the applicant/ landowner, appellant, parties of record, and neighboring landowner on May 23, 2016.
4. The project site was posted with the Notice of Hearing in two different locations on May 19, 2016.

II. ANALYSIS:**A. STANDARD OF REVIEW:****1. SCOPE OF REVIEW:**

In evaluating an appeal of a short plat's tentative approval, City Council should only consider those issues which have been appealed. AMC section 16.08.040 provides the right and procedure for aggrieved parties to appeal a decision of the administrator on a short plat application to city council. The prescribed procedure requires the appellant to specifically state the grounds for appeal, and that a public hearing be held on the appeal. Council must only consider those issues that are appealed and, in hearing the appeal, must limit the scope of their decision to the specific errors assigned.

2. STANDARD OF REVIEW:

AMC 16.08.030(B) provides that "[i]f the administrator finds that the proposed short plat is consistent with the comprehensive plan, SEPA requirements, and zoning requirements for the district, and that there is adequate provision for drainage, sewage disposal, water supply and access for each lot, that the requirements of this title are met, and the short plat would not landlock other parcels, he or she shall approve the application." Per AMC 16.04.080, "shall" is always mandatory. Therefore, if the administrator finds that the proposed short plat meets all of the requirements in 16.08.030(B), the administrator must approve it and has no discretion to deny the application.

While the Anacortes Municipal Code does not provide a standard of review for the present appeal, Washington case law suggests that a substantial evidence standard is appropriate when a council is acting as an appellate body. When reviewing an appeal under the substantial evidence standard, the Council must admit the truth of the evidence in the staff report and construe the evidence and all inferences drawn from against the appealing party. *McCoy v. Kent Nursery, Inc.*, 163 Wn.App.744, 769, 260 P.3d 967 (Div. 2, 2011). Further, Council is not empowered to substitute its judgment for the fact finder. *Maranatha Mining v. Pierce County*, 59 Wn.App. 795, 801, 801 P.2d 985 (1990) (citing *Messer v Snohomish Cy. Bd. Of Adj.*, 19 Wn.App. 780, 787, 578 P.2d 50 (1978)). The substantial evidence standard asks Council to evaluate the decision-maker's findings of fact and sustain them if they are supported by substantial evidence. *Id.* If Council finds there is a sufficient quantity of evidence to persuade a fair-minded person of the truth or correctness of the order, council must deny the appeal. *Benchmark Land Co. v. City of Battle Ground*, 146 Wn.2d 685, 694, 49 P.3d 860 (2002).

It also is important to note that a fundamental rule of Washington law states that "substantial judicial deference to agency views [is] appropriate when an agency determination is based heavily on factual matters, especially factual matters which are complex, technical, and close to the heart of the agency's expertise." *Hillis v. Dep't of Ecology*, 131 Wn.2d 373, 396, 932 P.2d 139 (1997). "[I]t is well settled that due deference must be given to the specialized knowledge and expertise of an administrative agency." *Port of Seattle v. Pollution Control Hr'gs Bd.*, 151 Wn.2d 568, 595, 90 P.3d 659 (2004) (alteration in original) (quoting *Dep't of Ecology v. Pub. Utility Dist. No. 1 of*

Jefferson County, 121 Wn.2d 179, 201, 849 P.2d 646 (1993), *aff'd*, 511 U.S. 700, 114 S. Ct. 1900, 128 L. Ed. 2d 716 (1994)). *Utter ex rel. State v. Bldg. Indus. Ass'n of Wash.*, 182 Wn.2d 398, 438-439, 341 P.3d 953 (2015). In this case, the Administrator has made a determination by applying his and his staff's special expertise.

B. APPELLANT'S ASSIGNMENTS OF ERROR:

1. "The submitted plan for storm water contains several inaccuracies, including the projected volume, errors on reference maps and incorrect use of terms. There are not enough specifications of the proposed mitigation. It is listed as a bioswale/raingarden. These are two very different solutions and there needs to be clarity of what is being constructed, who will maintain it, and if it even has the capacity to meet current required Department of Ecology standards for storm filtration for clean water. This is an area of class C/D soils as described in the submitted documents, and is not suitable for a small-scale (2' as proposed) bioswale. Please see attached Department of Ecology guidelines."

STAFF ANALYSIS:

Stormwater drainage for the development is required to meet the requirements of AMC Chapter 13.36, Drainage requirements and regulations, including the Department of Ecology (DOE) Stormwater Management Manual for Western Washington requirements adopted by the City of Anacortes. The project engineer, a civil engineer licensed in the state of Washington, prepared a preliminary drainage report as part of the subject short plat application. Based on review of the preliminary drainage report, the Public Works Department and Administrator determined that, as conditioned, the short plat will make adequate provision for drainage. Condition number 14(C) requires submittal of a Large Parcel Stormwater Plan and Water Quality Control Plan consistent with City requirements prior to any construction activities taking place on or off-site.

2. "There are mistakes with the setup back dimensions, thus making the placing of nine lots in this acreage too dense. For example, there needs to be a 15' sidewalk easement in the cul-de-sac, but the site map shows only 12' from the existing house on lot 2, not even from the lot line."

STAFF ANALYSIS:

The maximum permitted density in the R2 Zoning District is four (4) dwelling units per gross acre pursuant to AMC § 17.36.070. Two point three one (2.31) gross acres multiplied (X) by four (4) dwelling units per gross acre equals nine point two four (9.24) dwelling units permitted by code. The applicant proposes a project density of 3.9 dwelling units per gross acre (9 DU/ 2.31 Gross Acre).

The applicant has applied for nine (9) dwelling units /lots as part of the subject short plat application. The applicant has complied with the maximum permitted density for the R2 Zoning District.

The proposed sidewalk around the perimeter of the cul-de-sac sits within a 12' to 15' wide public access and utilities easement, rather than within the public right-of-way

(ROW). According to AMC 17.06.795, a “setback” is the distance between a structure and its lot lines. According to the short plat map submitted the house proposed for retention on lot 2 is approximately 13.92 feet away from the edge of the right-of-way of the new public street. The edge of the ROW also represents a lot line for the eastern boundary of lot 2. Lot 2 is flag lot which fronts on 38th Street. Staff has interpreted this lot line to be a side property line for lot 2. Per AMC § 17.36.060(C), a ten (10) foot setback from a property line for a side-yard flanking a street is required. Accordingly, conformance with this requirement has been met. Furthermore, the existing structure on lot 2 conforms to the front, rear, and other side yard setback requirement per AMC § 17.36.060.

3. “Anacortes Municipal Code says that access to residential homes must be on developed streets. Short-plats may only allow for six accesses. The other three lots were to be accessed from 38th St. However, the planning department has provided conflicting information about this. They illegally gave the developer approval to build a garage and driveway from undeveloped K Avenue, while responding to parties of record that NO access will be allowed from K Avenue. In fact, on the original site map posted and mailed to residents, it does not clearly indicate street access to the lots.”

STAFF ANALYSIS:

As required by AMC § 16.20.040(C), each lot shall abut either a public or private road with lot frontage that is not less than thirty (30) feet. Accordingly, the subject short plat has met this requirement.

The applicant proposes to use the Short-Cul-De-Sac standards per AMC 16.32.020 for the proposed new public street which would provide access to six of the nine proposed lots. Lots 2, 3, and 5 are proposed to be served by 38th Street (There was a typo in the staff report that stated lots 1, 3, & 5 will be served by 38th Street).

According to AMC § 16.32.020, a public road not more than one hundred fifty feet (150) in length and serving not more than six (6) residential building sites, and with no reasonable possibility of extension can be built to the following standards:

- A. Road width not less than twenty-four feet curb to curb with a minimum eighty-foot diameter cul-de-sac;
- B. Asphalt to be contained by a curb not less than six inches in width with five-foot sidewalks each side;
- C. The right-of-way width shall be not less than twenty-five feet in width, plus the necessary right-of-way for the cul-de-sac;
- D. Two off-street parking spaces shall be provided for each dwelling unit in addition to garages;
- E. Provide one interior street light, as directed by the public works director;
- F. Provide storm drainage, as required by current city ordinances;
- G. Fire protection shall be provided, as required by the fire chief;

H. Water and sewer utilities shall be designed and built to public works' design requirements and shall be public;

I. Provision shall be made for franchise utilities as needed.

As conditioned (#14), the new public street will meet the requirements for a short cul-de-sac.

The notice of application mailed to neighboring landowners contained a short plat map which showed the proposed 9 lots and the respective layout. The short plat map also showed the existing &/or proposed frontage on existing and/or proposed roads. The short plat map however does not typically show proposed driveways and/or access.

On December 24, 2015, the subject short plat was received by the Planning Department. The application was deemed complete on March 16, 2016. On March 11, 2016, a Notice of Application was mailed to neighboring landowners. Included with this notice, was a short plat map showing the proposed nine (9) lots. The short plat map shows the layout of the nine (9) lots and the respective lot's frontage on existing and proposed roads. The short plat map however does not typically show proposed driveways and/or access. The subject short plat was given preliminary approval on April 21, 2016.

A Building Permit Application (BLD-2016-1210) to construct a detached garage at 1417 38th Street was submitted to the City of Anacortes on February 23, 2016. The respective Building Permit was approved on April 23, 2016.

The Public Works Department conditioned the subject short plat (Condition #14 "P") to require "Any access from any lots within this subdivision onto K Avenue, will be required to construct "K" Avenue to meet City of Anacortes improvements requirements outlined in the Anacortes Municipal Code 16.32."

4. "The tree preservation plan is inadequate. The fact that the developer plans to remove significant mature evergreens from the lot line (lots land 9} along K Avenue, further indicates plans to access the property from that side. There are additional tree canopy requirements related to using a bioswale to treat storm water."

STAFF ANALYSIS:

According to the submitted Tree Preservation Plan, there are a total of fifty-eight (58) significant trees located on the project site of which the applicant proposes to retain a total of twenty-one (21) significant trees. Since the subject property is 85,451 net square feet in area, the developer is required to have a minimum of eight-six (86) tree unit credits. The twenty-one (21) trees that the applicant wishes to retain add up to ninety-eight (98) tree unit credits. Therefore, conformance with AMC Chapter 16.50 has been met.

5. "This short-plat will intrude on an established neighborhood in a negative way and is not consistent with the 2012 Comprehensive Plan. It violates #3, "Promote compatible land

uses and improve visual appearance in each and every zoning district”. This neighborhood is zoned R2, with single family homes well landscaped, and all fronting on 38th St. Putting two lots one in front of the other facing 38th St. completely degrades the visual appearance of this neighborhood. Sidewalks without planting strips also provide no relief from the huge increase in hard surface and residences and do not meet landscape requirements.”

STAFF ANALYSIS:

The subject property is located in the R2 Zoning District. Additionally, the subject property lies in the Comprehensive Plan’s Residential Low Density Land Use Designation. Single family residences are allowed land uses within the R2 Zone per AMC 17.36.020.

As is stated above, the subject short plat complies with the maximum permitted density of 4 dwelling units per gross acre per AMC 17.36.070. All nine of the proposed lots either meet or exceed the minimum lot size of 7,500 square in the R2 Zone per AMC 17.36.050. Lot 2 of the proposed 9 lot short plat also meets the definition of a “flag lot” per AMC 17.06.490.

Planting along street frontages is required per AMC § 17.41.020(D). Trees shall be planted at an average of thirty (30) feet apart in said planting areas. In the R2 Zone, the planting areas shall be minimum of fifteen (15) feet wide. Twenty (20) percent of the site shall be landscaped per AMC § 17.41.020(G). Conformance with this requirement will be reviewed at time of building permit application submittal per condition of approval #8.

Improvements that have been conditioned as part of the subject short plat include a five (5) foot wide sidewalks around the perimeter of the proposed cul-de-sac and along 38th Street fronting the subject property.

6. The Planning Department should have incorporated existing land uses of 38th St. when they made their decision. It is now a significant pedestrian artery, since there is direct access to the Ace of Hearts Park. There is considerable foot traffic on this road. With seven additional houses plus the existing two residences, parking is going to overflow on to 38th St., which is not currently developed for parking. The traffic will be so much increased that sidewalks need to be finished out to M St. Otherwise, the city is created a dangerous situation.

STAFF ANALYSIS:

As stated above, a five (5) foot wide sidewalk is required around the perimeter of the proposed cul-de-sac providing frontage and access to six (6) of the nine (9) proposed lots and along 38th Street fronting the subject parent parcel / property. The addition of a sidewalk improves pedestrian circulation and safety to the neighborhood.

According to AMC § 17.46.020, two (2) off-street parking spaces per residence are required. Additionally, per AMC § 16.32.020(D), two (2) off-street parking spaces will

be provided for each dwelling unit in addition to garages. Conformance with these requirement will be reviewed at time of building permit application submittal (Condition #9).

III. CONCLUSION:

A. STAFF RECOMMENDATION:

The Department of Planning, Community, and Economic Development recommends that City Council make a motion to either **grant or deny** the subject appeal and direct staff to prepare Findings of Fact & Conclusions of Law based on City Council's decision and place on the earliest available agenda.

EXHIBIT NUMBER:	NAME OF EXHIBIT:
Exhibit #A	City Council's Staff Report on the Appeal of the 38 th Street Short Plat
Exhibit #B	Planning Director Approved Decision, Staff Report, & Exhibits
Exhibit #C	Notice of Decision & Notice of Hearing
Exhibit #D	Appeal(s) Received
Exhibit #E	Applicant /Landowner's Response to Appeal
Exhibit #F	Appellant Reply to Applicant

EXHIBIT B

PLANNING DIRECTOR APPROVED DECISION, STAFF REPORT, & EXHIBITS:



**38th STREET SHORT PLAT
FINDINGS OF FACT, CONCLUSIONS OF LAW,
& DECISION:**

DATE: April 21, 2016

PROJECT NAME: 38TH Street Short Plat

FILE NUMBER: SPL-2015-0006

**APPLICANT &
LANDOWNER:** Tom Allen
P.O. Box 817
Anacortes, WA 98221

PROJECT SURVEYOR: Parish Surveying
PO Box 314
Lopez Island, WA 98261

PROJECT ENGINEER: John Ravnik
Ravnik & Associates
PO Box 361
Burlington, WA 98233

PROJECT PLANNER: Kevin Cricchio, AICP
Associate Planner
City of Anacortes
904 6th Street
Anacortes, WA 98221

SUBJECT PROPOSAL: 9 Lot Short Plat

PROJECT LOCATION: The subject property is located on the south side of 38th Street
between "M" Avenue and "J" Avenue within a portion of Section
25; Township 35 North; Range 01 East; Willamette Meridian.

SUBJECT PARCELS: P32057, P32056, & P32055

SITE ADDRESSING:

Lot Addresses:	
Lot 1:	3814 Deskin Court
Lot 2:	3808 Deskin Court or 1417 38 th Street
Lot 3:	3804 Deskin Court or 1413 38 th Street
Lot 4:	3803 Deskin Court or 1409 38 th Street
Lot 5:	1411 38 th Street
Lot 6:	3813 Deskin Court
Lot 7:	3817 Deskin Court
Lot 8:	3819 Deskin Court
Lot 9:	3818 Deskin Court

CURRENT ZONING: Residential (R2) Zoning District

COMP PLAN DESIGNATION: Residential Low Density

SURROUNDING ZONING & LAND USES:

Direction:	Zoning:	Land Uses:
North:	Residential (R2) Zoning District	Single-Family Residential
South:	Residential (R2) Zoning District	Single-Family Residential
East:	Residential (R2) Zoning District	Single-Family Residential
West:	Residential (R2) Zoning District	Single-Family Residential

LOT SQUARE FOOTAGE & ACREAGE:

Net Square Footage	85,451 square feet	Net Acreage	1.96 Acres
Gross Square Footage	100,767.93 square feet which includes 15,316.93 SQ' of ½ the abutting ROW + NSF above.	Gross Acreage	2.31 Acres

MAXIMUM DENSITY:

1. The maximum permitted density in the R2 Zoning District is four (4) dwelling units per gross acre pursuant to AMC 17.36.070.
2. 2.31 Gross Acres multiplied (X) by 4 dwelling units per gross acre equals (=) 9.24 dwelling units permitted by code. The applicant proposes a project density of 3.9 dwelling units per gross acre (9 DU/ 2.31 Gross Acre).
3. The applicant has applied for nine (9) dwelling units /lots as part of the subject short plat application.

4. The applicant has complied with the maximum permitted density for the R2 Zoning District.

MINIMUM LOT SIZE:

1. The minimum lot size for lots created in the R2 Zoning District is 7,500 square feet per lot pursuant to AMC 17.36.050.
2. Each of the nine (9) lots that the applicant proposes as part of the subject short plat will comply with the zone's minimum lot size requirement.

UTILITIES:

- **Potable Water:** City of Anacortes
- **Sanitary Sewer:** City of Anacortes
- **Storm-water:** Bio-infiltration Swale /Raingarden
- **Garbage:** City of Anacortes

FIRE PROTECTION:

- City of Anacortes

POLICE PROTECTION:

- City of Anacortes

FINDINGS OF FACT:

I. NATURE OF APPLICATION:

A. Site Location/Description:

1. The subject property consists of three (3) Skagit County Assessor parcel numbers as listed above. Three (3) single-family residences used to reside on the project site. One (1) residence was recently demolished leaving two (2) that remain. The applicant wishes to retain these two (2) residences as part of the proposed nine (9) lot short plat.
2. The site is relatively flat and moderately treed. Those trees designated for retention are shown on the Tree Preservation Plan (See Exhibit 6).

B. Cut & Fill:

1. Within the property: The proposed cut includes approximately 763 cubic yards to be stock piled for common lot fill around the site, but not under, structures. Additionally, approximately 150 cubic yards will be excavated for the construction of the proposed infiltration system, which could potentially be used to fill the proposed residential lots.
2. Within the alignment of proposed roads: The proposed cut and fill are approximately 450 cubic yards and 350 cubic yards, respectively.

C. Request:

1. The applicant has applied for a short plat to create nine (9) lots from the subject property that is 2.31 gross acres in area.
2. Each of the nine proposed lots meet or exceed the 7,500 minimum lot size for the R2 Zone.
3. According to AMC 17.36.020, single-family dwellings are permitted outright in the R2 Zoning District.

D. Project Chronology/Background:

1. On August 25, 2015, a pre-application conference /DRG meeting was held by staff with the applicant concerning the subject short plat.
2. On December 24, 2015, the applicant/landowner submitted the subject short plat application to the City of Anacortes' Planning Department for review.
3. The subject application was deemed incomplete on January 20, 2016. Additional revisions were requested in the letter of incomplete.
4. On March 3, 2016, revisions were submitted by the applicant to the city for review.
5. Following a review of the revisions submitted, the subject short plat was deemed complete on March 16, 2016.
6. The 15-day public comment period for the subject short plat ended at 5:00 PM on March 31, 2016.

E. Notice of Application:

1. A Notice of Application with Optional SEPA DNS was published in the Anacortes American Newspaper on March 16, 2016.
2. This notice was also posted on the subject property in two (2) different locations on March 11, 2016.
3. Notice was also posted at the library, city hall, the local USPS office, and on the city's website on March 11, 2016.
4. Neighboring landowners of property within 300-feet of the subject property were mailed the Notice of Application on March 11, 2016.
5. Departments and agencies of jurisdiction were also solicited for comment on March 12, 2016.
6. The 15-day public comment period ended at 5:00 PM on March 31, 2016.

F. Critical Areas:

1. No known critical areas are located either on or within 300 feet proximity to the subject property.

G. Tree Preservation:

1. According to AMC 16.50.050, a tree preservation plan is required as part of a short plat application. Accordingly, the applicant had Urban Forestry Services of Mount Vernon, Washington, prepare a tree preservation plan dated February 25, 2016.
2. According to this report (**See Exhibit 6**), there are a total of fifty-eight (58) significant trees located on the project site of which the applicant proposes to retain a total of twenty-one (21) significant trees.
3. Since the subject property is 85,451 net square feet in area, the developer is required to have a minimum of eight-six (86) tree unit credits. The twenty-one (21) trees that the applicant wishes to retain add up to ninety-eight (98) tree unit credits. Therefore, conformance with AMC Chapter 16.50 has been met.

H. SEPA Environmental Review:

1. The creation of five (5) lots or more via a short plat requires SEPA environmental review pursuant to AMC § 16.080.010.
2. Notice of Application with Optional SEPA DNS was run concurrent with the Notice of Application as discussed above.
3. On March 14, 2016, the Notice of Application with Optional SEPA DNS, application material, and site plan(s) associated with a proposed 9 lot short plat was emailed to the SEPA register for posting.
4. On April 21, 2016, a SEPA MDNS was issued.
5. The SEPA MDNS was emailed to the SEPA Register on April 21, 2016, for posting onto the SEPA Register.

I. Transportation:

1. The site will be accessed by a new public road off of 38th Street which is designated as a local residential street.

II. CONSISTENCY WITH AMC TITLE 16, SUBDIVISIONS:

A. AMC Chapter 16.08, Short Subdivisions and Short Plats:

The administrative official (Director of Planning, Community and Economic Development) or his or her designee is granted the authority to approve or disapprove proposed short plat /subdivisions in accordance with Anacortes Municipal Code (AMC) Title 16.

STAFF ANALYSIS:

The applicant has submitted all necessary application materials as outlined in this section and proper notice was given pursuant to AMC § 16.08.031.

AMC § 16.08.032 requires that short subdivisions comply with development standards for standard subdivisions (Chapter 16.20, Design and Improvement Standards). Consistency with these standards is discussed below.

B. AMC Chapter 16.20, Design and Improvement Standards:

AMC § 16.20.010 requires that the design and development of subdivisions preserve the natural terrain, vegetation, drainage patterns and existing topsoil to the greatest extent possible.

STAFF ANALYSIS:

As discussed earlier, the site's topography is relatively flat. The steepest slope on the property is 8-10%. However, the majority of the site slopes gradually downhill at 5-6% to the northeast. Elevations range from 238 to 219 feet above sea level.

Twenty-one (21) out of fifty-eight (58) significant trees that are located onsite are proposed for retention. The two residences that exist today are slated for retention on Lot 2 and Lot 5 of the subject short plat.

Any stormwater generated onsite will be conveyed to a ninety-five (95) foot by two (2) foot wide bio-infiltration swale /raingarden that runs east to west along 38th Street north of lots 4 and 5.

AMC § 16.20.020 contains standards for development of land found to be unsuitable for subdivision due to potential hazards.

STAFF ANALYSIS:

The site's topography is relatively flat. According to the applicant's Geotechnical & Infiltration Assessment prepared by MTC, the steepest slope on the property is 8-10%. However, the majority of the site slopes gradually downhill at 5-6% to the northeast. No geotechnical hazards exist either on the subject property or within close proximity to it.

AMC § 16.20.030 contains standards for design of engineering plans for public improvements and other subdivision elements.

STAFF ANALYSIS:

Public improvements as conditioned below will be in place prior to final short plat approval.

AMC § 16.20.040 and .050 contain standards for lot and block configuration.

STAFF ANALYSIS:

According to AMC 16.20.040(C), each lot is required to abut either a public or private road with lot frontage that is not less than thirty (30) feet. Accordingly, both the new cul-de-sac right-of-way constructed as part of the subject short plat and existing 38th Street will provide the minimum required lot frontage to either a public /private road. All other standards listed in AMC 16.20.040 and 16.20.050 will be met.

AMC § 16.20.060 contains standards for street design and construction.

STAFF ANALYSIS:

As required by the Public Works Department and conditioned below, street and road improvements will be in place prior to final short plat approval.

AMC § 16.20.070 contains standards for grading and drainage.

STAFF ANALYSIS:

The applicant submitted a geotechnical and infiltration assessment prepared by Materials Testing and Consulting, Inc. (MTC), and drainage plan as part of their short plat submittal.

Additionally, the applicant will be required to provide plans addressing stormwater, grading, and drainage, as required by the Public Works and Building Departments, prior to site construction activities or building permit application approval.

AMC § 16.20.080 and .090 contain standards for utilities and easements.

STAFF ANALYSIS:

On the plans submitted, a fifteen (15) foot wide sidewalk and utility easement is shown around the perimeter of the new cul-de-sac /right-of-way. Additionally, a five (5) foot wide sidewalk is proposed within the city's right-of-way fronting the subject property adjacent to 38th Street

AMC § 16.20.110 contains standards for landscaping.

STAFF ANALYSIS:

A landscape plan was submitted with the subject short plat application. The landscape plan shows a fifteen (15) foot wide planting strip with trees planted at an average of thirty (30) feet apart as is required pursuant to AMC 17.41.020(D)(2) and 17.41.020(D) respectively.

Additionally, AMC 16.20.110(A) requires that each new subdivision set aside twenty (20) percent of the gross site area for landscaping. As conditioned below, the applicant/landowner will be required to submit a revised landscape plan at time of building permit submittal following final short plat approval which shows how conformance with this requirement has been met for each of the 9 lots that comprise the subject short plat.

AMC 16.20.110(B) also requires that the applicant submit a tree preservation plan. As was discussed above, the applicant has met this requirement. According to the tree preservation plan, the minimum number of tree unit credits required for the site has also been exceeded by those trees shown in the plan proposed for retention.

C. AMC Chapter 16.32, Road Standards:

AMC Chapter 16.32 regulates the minimum standards for roads within the City of Anacortes.

AMC 16.32.020 establishes the minimum sidewalk widths based on the underling zoning district.

STAFF ANALYSIS:

According to AMC 16.32.020, the minimum width for a sidewalk in the R2 Zoning District is five (5) feet. According to the applicants short plat map a five (5) foot wide sidewalk is proposed within a fifteen (15) foot wide sidewalk and utility easement around perimeter of new cul-de-sac/road right-of-way. Additionally, a five (5) foot wide sidewalk is proposed within the city's right-of-way fronting the subject property adjacent to 38th Street. Conformance with AMC 16.32.020 has been met.

AMC 16.32.020 also establishes the Short Cul-de-sac Standards for the City of Anacortes.

STAFF ANALYSIS:

According to AMC 16.32.020, a public road not more than one hundred fifty feet (150) in length and serving not more than six (6) residential building sites, and with no reasonable possibility of extension can be built to these standards. Accordingly, the applicant wishes to develop the subject short plat using the Short Cul-de-sac standards. Although the subject short plat is nine (9) lots, only six (6) of the nine (9) lots will be served by the cul-de-sac as lots 1, 3, & 5, will be served by 38th Street.

III. PROJECT CONSISTENCY WITH APPLICABLE ZONING REGULATIONS:

A. AMC Chapter 17.05, Concurrency:

Prior to approval of any non-exempt development, the city must find that public facilities and services necessary to support development are adequate to serve the development without decreasing levels below adopted minimum standards. The Public Works Director has confirmed that, as conditioned, the level of service for transportation, water, and sewer can be provided for this proposal, either with existing infrastructure, or that within the capital facilities plan, financed by system development charges.

Additionally, the City has adopted impact fees for transportation, park, and fire facility improvements which adequately address the development's impacts on these facilities. Based on review of the Anacortes School District Facilities Study, 1990, the City has concluded that existing and rehabilitated school facilities are sufficient to accommodate growth resulting from this development.

B. AMC Chapter 17.36, Residential (R2) Zoning District:

The objective and intent of the R2 district is to maintain and create an environment which meets the standards for single-family residential development, by restricting uses within the district, and by requiring a minimum lot size and maximum density. Single-family residential land uses are permitted in the R2 Zoning District per AMC 17.36.030. Additionally, as discussed above conformance with the maximum permitted density and minimum lot size for each of the proposed nine (9) lots has been met as is required per AMC 17.36.070 and 17.36.050 respectively.

Conformance with the maximum permitted building height, setbacks from property lines, and off-street parking required will be reviewed prior to issuance of any building permit for each of the respective lots once an application is submitted following final short plat approval is given.

C. Chapter 17.41 AMC, Landscaping:

Pursuant to AMC § 17.41.020(G), short plats /subdivisions in the R2 Zoning District are required to have a minimum of twenty (20) percent of the gross site landscaped. Conformance with this requirement will be reviewed at time of building permit application submittal prior to issuance.

D. Chapter 17.46 AMC, Parking:

Pursuant to AMC 17.46.020 and 16.32.020(D), two (2) off-street parking spaces are required for each residence in addition to garages. Conformance with the requirement will be reviewed at time of building permit application submittal prior to issuance.

IV. PROJECT CONSISTENCY WITH 2012 COMPREHENSIVE PLAN:

The 2012, City of Anacortes Comprehensive Plan designates the project site as Residential Low Density. The goals and policies outlined in the Comprehensive Plan are intended to provide guidance for both public and private decision makers in future growth and development of the City. Development goals and policies pertinent to the subject shore plat and subsequent vacation rental development are listed below.

GENERAL CITY GOALS:

Goal #3:

Promote a compatible land uses and improve visual appearance in each and every zoning district

STAFF ANALYSIS:

The subject short plat involves the creation of nine (9) lots from the parent parcel. The project site is located in the R2 Zoning District and is surrounded by single-family residences. As conditioned below, the subject short plat and subsequent development of each lot will be compatible in use and visual appearance as required according to AMC Chapter 17.36.

TRANSPORTATION /CIRCULATION:

Goal #5:

"Develop the city as a pedestrian friendly community and improve non-motorized pedestrian circulation."

STAFF ANALYSIS:

As conditioned below, the development will provide improvements onsite that address both pedestrian circulation and connectivity. A five (5) foot wide sidewalk is required around perimeter of new cul-de-sac road right-of-way and adjacent to 38th Street.

Goal #6:

"Encourage a physically active community by allowing people of all ages to incorporate physical activity into their daily lives by walking, bicycling, exercising and using public transit as a part of everyday living."

STAFF ANALYSIS:

The improvements conditioned below will improve neighborhood pedestrian connectivity while encouraging physical activity of all ages.

Goal #7:

"Require adequate off-street parking in all zones."

STAFF ANALYSIS:

As conditioned below, off-street parking requirements will be reviewed for conformance with AMC Chapter 17.46 & 16.32.020(D) before issuance of building permit.

V. PUBLIC COMMENTS RECEIVED:

During the 15-day comment period associated with the subject short plat, PCED received several public comments (See Exhibit #3).

The comments received expressed several concerns as is summarized below. A staff analysis follows each concern expressed. The concerns expressed and staff analysis is as follows:

CONCERN EXPRESSED:		STAFF ANALYSIS:
1.	Perceived safety issue with substandard 38 th street; no sidewalks, not paved to designated width, parking is in driving lane	Street improvements along the project frontage of 38th Street and around the perimeter of the new cul-de-sac road right-of-way are required to include curb, gutter and a five foot wide sidewalk per AMC 16.32.020. Improvements along 38th Street shall terminate where reasonable and practicable to provide a smooth transition with existing improvements both laterally across the street and longitudinally up and down the street for drainage, vehicular and pedestrian traffic. Two off-street parking spaces are required for each residence constructed on the 9 lots per AMC 17.46.020. Conformance with this requirement will be verified at time of building permit application submittal.

2.	Drainage is not being adequately handled and future drainage problems need to be addressed	The applicant submitted a Geotechnical & Infiltration Assessment prepared by MTC dated December 10, 2015. MTC performed an infiltration assessment for the proposed bio-infiltration /raingarden proposed adjacent to 38th Street north of lots 4 & 5. A Large Parcel Storm Water Plan and Water Quality Plan consistent with City requirements is required to be submitted by the applicant for review and approval by the Planning/Building and Public Works Departments prior to any construction activities taking place on or off site.
3.	The drainage plan is inadequate	The developer will be required to provide suitable drainage facilities for any surface run-off affecting the subdivision. The developer will also be required to make downstream improvements where necessary to avoid problems related to increases in stormwater run-off associated with the development. This is stated in the AMC 16.20.070. Additionally, storm water conveyance both on-site and off-site will be required to comply with City Storm drainage requirements consistent with the Department of Ecology's NPDS Permit.
4.	Development run-off should be handled by running all water into a pipe starting at K Avenue and 38 th street that runs down to M Avenue.	See response #3 above.
5.	Run-off should not be drained towards other residential property	Stormwater generated onsite will be conveyed to the bio-infiltration swale /raingarden located adjacent to 38 th Street.
6.	The Department of Ecology should comment on how the developers should be filtering runoff.	Construction activities may require an NPDES (National Pollutant Discharge Elimination System) Construction Storm Water Discharge Permit issued by the Department of Ecology prior to any construction activities taking place on or off-site. Additionally, the subject proposal must meet City of Anacortes /Department of Ecology stormwater requirements.

7.	All runoff should first be filtered through a swale before draining	The constructed bioinfiltration swale /rain garden will treat stormwater quality and quantity. MTC's Geotechnical & Infiltration Assessment analyzed surface and subsurface soil infiltration characteristics. Stormwater generated onsite will be required to comply with both city and state requirements.
8.	One or two of the proposed lots should be converted to a biological control of surface water to protect the ecosystem of Fidalgo Bay.	Anacortes Municipal Code does not require that one or two lots of a proposed development be converted to a "biological control of surface water" to protect the adjacent ecosystem.
9.	Safety issue with driveway location	The Public Works Department will review all building permit applications submitted concerning the location of driveways/ access for conformance with STR-28 of the Engineering Standards.
10.	K Avenue is substandard	Any access from any lots within this subdivision onto K Avenue, will be required to construct K Avenue to meet City of Anacortes improvement requirements outlined in the AMC 16.32.
11.	A traffic study should be completed	According to the Public Works Department's Engineering Standards STR-30, the subject development is considered a level one residential development and does not trigger a Traffic Impact Analysis/Study.
12.	Safety issue with traffic volumes	See response #11 above concerning that no Traffic Impact Analysis/Study was required by the Public Works Department. However, a five (5) foot wide sidewalk along 38 th Street adjacent to the project site and internally along the perimeter of the new cul-de-sac road right-of-way will improve pedestrian connectivity and safety to the surrounding neighborhood and residents.
13.	Fire engines and emergency vehicles do not have enough space or access	Development will meet road size requirements and fire apparatus access requirements per AMC 16.32.020.

14.	The development has too high of a density	Conformance with the maximum density of 4 dwelling units per gross acre has been met for the R2 Zone as discussed above. Nine lots are permitted and nine lots are proposed.
15.	Guest parking would overflow onto 38 th street	Per AMC 17.46.020, two off-street parking spaces per residence are required. Conformance with this requirement will be reviewed at time of building permit application submittal. Additionally, per AMC 16.32.020, two off-street parking spaces will be provided for each dwelling unit in addition to garages.
16.	The development goes against requirements for a "short cul-de-sac." (It is a public road more than 150' and will serve more than six residential building sites, the roadway is longer than allowed by city code 160.23.020 (meant 16.32.020?))	The subject short plat complies with the short cul-de-sac standards per AMC 16.32.020. The proposed cul-de-sac is not more than one hundred and fifty (150) feet in length. Second, pedestrian facilities will be five (5) feet wide along the perimeter of the cul-de-sac and along 38 th Street adjacent to the project site. Road width will not be less than twenty-four feet from curb to curb with a minimum of eighty (80) foot diameter cul-de-sac. Lastly, the cul-de-sac will not serve more than six (6) of the proposed nine (9) lots within the short plat as lots 1, 3, and 5 will be served by 38 th Street.
17.	Setbacks Requirement	Setback requirements for each of the 7 residences to be constructed will be reviewed for conformance with AMC 17.36.060 at time of building permit application submittal. Additionally, the 2 residences slated for retention as shown on the short plat map have been determined to comply with the R2 Zoning District setback standards per AMC 17.36.060.
18.	38 th street should be kept clean during construction of houses and streets.	As conditioned below, the applicant/landowner will be required to keep 38 th Street adjacent to the subject property clean and free of all debris and dirt associated with construction activities.
19.	How will homes be accessed on 38 th street?	Lots 1, 3, and 5 will gain access off of 38 th Street while ingress and egress for all other lots is from the new cul-de-sac road right-of-way.

		According to Sheet 3 of 3 of the applicant's plans, an ingress, egress, and utility easement over a portion of Lot 2 for the benefit of Lot 3 is proposed.
20.	Fences should be constructed along the perimeters of the lots.	The applicant /landowner will determine if fencing is feasible and/or warranted as part of the subject short plat.
21.	The comment period is insufficiently short. There was not a 30 day notice	The comment period for short plats is fifteen (15) days per AMC 16.08.031. Shoreline permits require a thirty (30) day comment period.
22.	The environmental study and mitigation plan is not detailed enough	After reviewing the city's critical area maps along with the applicant's SEPA environmental checklist and associated application material, an Environmental Impact Study (EIS) was <u>not</u> required. The city however did issue a SEPA Mitigated Determination of Non-Significance (MDNS) as is discussed above. Mitigation measures were used to mitigate any environmental impacts.
23.	The geotechnical review is inadequate	The applicant submitted a Geotechnical & Infiltration Assessment prepared by MTC dated December 10, 2015. MTC performed an infiltration assessment for the proposed bio-infiltration /raingarden proposed adjacent to 38th Street north of lots 4 & 5. The Public Works Department reviewed MTC's report for conformance with both city and the State of Washington's Department of Ecology requirements associated with stormwater. Additionally, a Large Parcel Storm Water Plan and Water Quality Plan consistent with City requirements will be required to be submitted by the applicant for review and approval by the Planning/Building and Public Works Departments prior to any construction activities taking place on or off site.

VI. DEPARTMENTS & AGENCIES OF JURISDICTION COMMENTS RECEIVED:

During the 15-day comment period, several comments were received from departments and agencies of jurisdiction (See Exhibit #4). Agency and department comments have been made conditions of approval as listed below.

VII. CONCLUSIONS OF LAW - APPROVAL CRITERIA:

Pursuant to AMC § 16.08.030.B, if the administrator finds that the proposed short plat is consistent with the Comprehensive Plan; SEPA requirements, and zoning requirements for the underlying zoning district, and that there is adequate provision for drainage, sewage disposal, water supply and access for each lot, that requirements of this title are met, and the short plat would not landlock other parcels he or she shall approve the application.

CONCLUSION:

Based on the above analysis, and as conditioned, the short subdivision application is consistent with the plans, documents, and criteria outlined in AMC § 16.08.030(B).

RCW § 58.17.060 provides the following criteria for approval of a subdivision:

- (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that will assure safe walking conditions for students who only walk to and from school;
- (b) The public use and interest will be served by the platting of such subdivision.

CONCLUSION:

As discussed above and conditioned below, provisions are made for the public health, safety, and general welfare for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that will assure safe walking conditions for students who only walk to and from school;

The City has designated the property for Residential Low Density in the Land Use Element of the Anacortes Comprehensive Plan and zoned the site Residential (R2), indicating there is a public need.

It serves the public interest to develop the property as is proposed and in conformance with the Anacortes Municipal Code land use and zoning standards. The standards of the City's subdivision ordinance are additional city standards for that meet the public use and interest in the City. The proposed short plat as conditioned conforms to all of these standards. Additionally, the proposed short plat as conditioned meets the minimum requirements of the Anacortes

Municipal Code, which are designated as the official standards for public health, safety and general welfare.

VIII. DECISION:

Based on the foregoing Findings of Facts and Conclusions of Law, the Subdivision Administrator hereby grants **approval** of the proposed nine (9) lot short plat, subject to the conditions of approval as listed below.

IX. CONDITIONS OF APPROVAL:

1. Preliminary short plat /subdivision approval authorizes the applicant to proceed with application for necessary permits to construct required improvements and to prepare construction drawings in accordance with the determinations made and conditions imposed. The scope of this permit is not to exceed that as set out in the short plat /subdivision application and preliminary short plat map.
2. The lots in this short subdivision are subject to applicable water, sewer, and stormwater general facility and hookup fees and transportation, fire, and park impact fees. These fees are payable at levels in effect at the time of building permit issuance and may differ from those fee levels currently in effect; sewer and water latecomer charges may be payable. A note to this effect shall be recorded on the final short plat map.
3. Grading shall not adversely impact adjacent properties.
4. Provide a Traffic Control Plan (Current MUTCD Manual) prior to any construction taking place in the public right-of-way for approval by the City of Anacortes' Public Works Department.
5. Pursuant to AMC § 16.08.081, a note shall be placed on the final short plat that states:
*"All short subdivisions when approved and prior to recording shall contain the following: Treasurer's Certificate: I certify that all taxes heretofore levied and which have become a lien upon the lands described above have been fully paid and discharged according to the records of my office up to and including the year (current year).
Certified this _____ day of _____, 20_____."*
6. Pursuant to AMC § 16.08.080, a note shall be placed on the final short plat that states:
"Land contained within a short subdivision may not be further divided in any manner within a period of five years from date of approval without filing a standard plat."
7. Before final short plat submittal or approval is given, a note shall be added to sheet 1 of the final short plat that states:

ZONING INFORMATION:

Underlying Zone:	Residential (R2) Zoning District
Net Acreage:	85,451 Net Square Feet (1.96 Acres)
Gross Acreage:	100,767.93 Gross Square Feet (2.31 Acres) including ½ abutting ROW
Zone Max Density:	4 Dwelling Units per Gross Acre

Density Calculation: The applicant proposes 3.9 dwelling units per gross acre (9 dwelling units divided by 2.31 gross acres). 2.31 Gross Acres multiplied by 4 dwelling units per gross acre = 9 lots

Lots Proposed: 9 Lots

8. At time of building permit application submittal, a landscape plan shall be included that shows how conformance with AMC Chapter 17.41 is being met. Twenty (20) percent of gross site area shall be landscaped per AMC 17.41.020(G).
9. At time of building permit application submittal, a parking plan shall be included that shows how conformance with AMC Chapter 17.46 is being met.
10. Pursuant to RCW 58.17.140(3), a final short plat meeting all of this requirements of this chapter shall be submitted to the City of Anacortes Planning Department for approval within five (5) years from the date of preliminary approval listed below. Notwithstanding, the preliminary short plat approval becomes null and void.
11. Before final short plat submittal or approval, the land surveyor shall place the respective property corners of the subject property.
12. Before final short plat submittal or approval is given, the applicant shall obtain a demolition permit and demolish the three (3) structures shown on the subject short plat slated for removal.
13. Before final short plat submittal or approval is given, a note shall be added to the face of the short plat that states "A maximum of six (6) lots shall access off of the cul-de-sac."
14. Development shall comply with the City of Anacortes's Public Works Department including but not limited to:
 - A. Project shall meet the requirement of the Short Cul-de-Sac Design as outlined in the Anacortes Municipal Code 16.32.020, including the not more than one hundred and fifty feet in length.
 - B. A clearing and grading plan consistent with City requirements shall be submitted by the applicant for review and approval by the City of Anacortes Planning\Building and Public Works Departments prior to any construction activities taking place on or off-site. Prior to any clearing\fill\grade work beginning, construction civil plans consistent with the City of Anacortes Engineering Development Standards, including but not limited to, Clearing and Grading Plan, Erosion Control Plan, Site utility\Infrastructure improvements Plan, Roadway Improvements Plan, Signage Plan, Street Lighting Plan and other plans and\or information required by the City Planning\Building and Public Works Departments shall be submitted for review and approval.
 - C. A Large Parcel Storm Water Plan and Water Quality Control Plan consistent with City requirements shall be submitted by the applicant for review and approval by the Planning\Building and Public Works Departments prior to any construction activities taking place on or off-site.
 - D. Construction activities may require an NPDES Construction Storm Water Discharge Permit issued by the Department of Ecology prior to any construction activities taking place on or off-site.

- E. Any encroachments into the easements by the adjacent properties shall be required to apply for an encroachment agreement (AMC –Chapter 12.30) from the City of Anacortes Public Works Department.
 - F. All public utilities shall have vehicular access, including but not limited to: 1) A 12-foot minimum width access road (STR-12) with an approved all-weather surface asphalt road, or other approved Low Impact Development Best Management Practice design, 2) meeting the minimum structural requirements (STR-15.2) for Access Road approved by the City of Anacortes.
 - G. Pursuant to AMC 16.20.060, street lighting is required. Street lighting shall be LED and shall limit glare and/or emission of light downward to the street and front yard areas. Street lighting will be installed per PSE Schedule 53, Option “B”. Lighting fixtures and design shall be approved by the Public Works Director. Shields may be necessary to reduce impacts to adjacent properties.
 - H. Mailbox locations shall be reviewed and approved by the City of Anacortes Public Works Department and the U.S. Postal Service.
 - I. Sanitation, recycling and compost collection will be at curb side of each parcel serviced.
 - J. Utilities, as identified in Anacortes Municipal Code 16.20.080 are required to be extended and to serve the development.
 - K. Engineering and Inspection fees in the amount of \$500.00, plus 2% of the total estimated construction cost shall be due upon civil plan approval. No construction activity is allowed until the construction plans are approved, all fees have been paid and a preconstruction conference held.
 - L. Prior to the final plat approval, all infrastructure improvements shall be completed as required by the City of Anacortes Public Works Director and a 2-year Maintenance Bond in place. The 2-year Maintenance Bond is 10% of the actual construction cost.
 - M. Storm-water conveyance both on-site and off-site shall comply with City Storm drainage requirements.
 - N. The developer shall provide suitable drainage facilities for any surface run-off affecting the subdivision, per Anacortes Municipal Code 16.20.070.
 - O. Street improvement requirements along 38th Street shall be constructed along the frontage of 38th Street, to include curb/gutter and sidewalk and roadway widening and storm drainage work. The improvements shall terminate where reasonable and practicable to provide a smooth transition with existing improvements both laterally across the street and longitudinally up and down the street for drainage, vehicular and pedestrian traffic.
 - P. Any access from any lots within this subdivision onto K Avenue, will be required to construct K Avenue to meet City of Anacortes improvements requirements outlined in the Anacortes Municipal Code 16.32.
15. Development shall comply with the issued SEPA Mitigated Determination of Non-Significance as follows:

- A. All required permits shall be secured before any construction activities begin onsite (Mitigation Measure #1).
- B. Those twenty-one (21) trees designated for retention on the submitted tree preservation plan shall be protected before and during site development and construction through adherence to AMC § 16.50.100. Chain link fencing (or other sturdy construction fencing) shall be erected along the drip line (plus 6 feet) of each of the trees designated for retention on the plan (Mitigation Measure #2).
- C. Before any site development or construction activities occur on the subject property the applicant shall contact the Department of Planning, Community, and Economic Development to arrange a tree fence inspection (Mitigation Measure #3).
- D. As directed by the Public Works &/or Planning/Building Departments, the applicant/landowner shall be responsible to sweep as needed 38th Street adjacent to the subject property and assure all mud and debris associated with construction activities is removed (Mitigation Measure #4).

Nothing in the permit/approval shall excuse the applicant, owner, lessee, agent, successor or assigns from full compliance with any other federal, state, or local statutes, ordinances or regulations applicable to this project. In particular, no clearing, grading, filling, construction or other physical alteration of the site may be undertaken prior to the issuance of the necessary permits for such activities.



Don Measamer, Planning Director
& Subdivision Administrator

April 21, 2016

Date Signed

APPEALS:

Any party aggrieved by the decision of the Administrator may appeal to the City Council by filing a notice of appeal with the City Clerk within fifteen (15) days of the tentative approval or disapproval by the Administrator. The appeal shall state the reason for the appeal and be signed by the party filing the appeal (AMC § 16.08.040).

EXHIBITS:

EXHIBIT NUMBER:	NAME OF EXHIBIT:
Exhibit #1	Master Permit Application & Narrative
Exhibit #2	Notice of Application With Optional SEPA DNS
Exhibit #3	Public Comments Received
Exhibit #4	Agency & Department Comments Received
Exhibit #5	Site Pictures
Exhibit #6	Tree Preservation Plan
Exhibit #7	Site Plan
Exhibit #8	SEPA MDNS

EXHIBIT #1

MASTER PERMIT APPLICATION & NARRATIVE:

City of Anacortes – Planning, Community, and Economic Development
906 – 6th Street, P.O. Box 547, Anacortes, WA 98221-0547
MASTER PERMIT APPLICATION

1.

	Applicant	Contact Person (if different)
Name:	<u>Tom Allen</u>	<u>John Ravnik, PE c/o Ravnik & Associates</u>
Mailing Address:	<u>PO Box 817</u>	<u>PO Box 361</u>
City, State, Zip:	<u>Anacortes, WA 98221</u>	<u>Burlington, WA 98233</u>
Phone#:	<u>(360)293-7754</u>	<u>(360)707-2048</u>
Fax#:	<u></u>	<u>(360)707-2216</u>
E-mail:	<u>allencollectables@yahoo.com</u>	<u>jravnk@ravnk.net</u>
2. Applicant's Interest to Property (check one)
☒ Owner ☐ Contract Purchaser ☐ Lessee ☐ Other (specify) _____
3. All Persons/Firms having an ownership interest in the property:
Name: _____ Phone# _____
Address: _____
Name: _____ Phone# _____
Address: _____
Name: _____ Phone# _____
Address: _____
4. General location of property (including nearest intersection): SEC: 25 TWP: 35 RNG: 1
The site is comprised of three parcels located in the City of Anacortes along the south side of 38th Street, approximately 450 feet westerly from the intersection of 38th Street and "M" Avenue. The addresses for the three existing parcels are 1417, 1415, and 1411 38th Street, from west to east.
*By submittal of this application, the property owner/applicant grants permission for public officials at the City of Anacortes to enter the subject property, if necessary, for the purpose of site inspection.
5. Attach legal description of property. (If recording of legal description is required, the format MUST comply with Recording Requirements.)
6. List all Property Tax Account Numbers involved in this application (Attach separate pages if necessary):
350125-0-075-0009 (P32057)-1417 38th, 350125-0-073-0001 (P32055)-1415 38th & 350125-0-074-0000 (P32056)-1411
7. Approximate acreage: 1.96 acres
8. Present zoning: Residential R-2
9. Present use of property: Single Family Residential

10. Source of water supply and sewer supply: City of Anacortes water and sewer

11. Permits requested from City:

- | | |
|---|---|
| ☐ Annexation | ☐ Rezone |
| ☐ Boundary Line Adjustment | ☐ Shoreline Exemption |
| ☐ Binding Site Plan | ☐ Shoreline Management Conditional Use Permit |
| ☐ Conditional Use Permit | ☐ Shoreline Management Substantial Development |
| ☐ Comprehensive Plan Amendment | ☐ Shoreline Variance |
| ☐ Planned Unit Development | ☒ Short Plat |
| ☐ Plat Modification | ☐ Special Use |
| ☐ Preliminary Plat | ☐ Variance |

☐ Other: _____

12. Explain your request and ALL proposed uses included in this proposal: Single-Family Residential nine-lot short plat

PLEASE FILL IN ALL APPLICABLE SECTIONS

FOR REZONES:

13. Requested zoning: _____

14. Comprehensive Plan designation: _____

15. Has anyone applied for a rezone of this property within the last five years? _____
If yes, who? _____ Year? _____

FOR SUBDIVISIONS (PLATS):

16. Plat Name: _____ 17. Number of Lots: _____

FOR SHORT SUBDIVISIONS (SHORT PLATS):

18. Number of Lots: 9 19. Duplex Lots Proposed: 0

FOR SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT OR CONDITIONAL USE:

20. Total cost or fair market value (whichever is higher) of project (please state total value of all construction finishing work for which the permit will be issued, including all permanent equipment to be installed on the premises): \$ _____
21. Construction dates for which permit is requested (month & year): Begin: _____ / _____
End: _____ / _____
22. Does the project require a Shoreline/Floodplain location? If yes, please explain why: _____

23. Water Body: _____ 24. Shoreline Environment Designation: _____

FOR VARIANCE (ZONING AND SHORELINE):

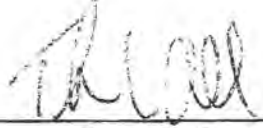
25. Code sections involved: _____
26. Description of variance requested: _____

A notarized affidavit is required to be completed by all persons having an ownership interest in the subject property and the applicant, if different from the property owner(s). If the signatory is not listed as the owner in the title report, or if the signatory is signing on behalf of an entity, documentation authorizing the signatory to sign the affidavit on behalf of the individual or entity shall provided.

STATE OF WASHINGTON)

) ss

I (we) Tom Allen, being duly sworn, depose and say that I am (we are) the **OWNER(s)** of the property involved in this application, and that I (we) have familiarized myself (ourselves) with the rules and regulations with respect to preparing and filing this application and that the statements and information submitted herewith are in all respects true and correct to the best of my (out) knowledge and belief.

Signed: 

Property Owner

Subscribed and sworn to before me this 4th day of Jan, 2016



Notary Public in and for the State of WA
residing at Mount Vernon, WA

STATE OF WASHINGTON)

) ss

I (we) Tom Allen, being duly sworn, depose and say that I am (we are) the **APPLICANT(s)** for this application, and that I (we) have familiarized myself (ourselves) with the rules and regulations with respect to preparing and filing this application and that the statements and information submitted herewith are in all respects true and correct to the best of my (out) knowledge and belief.

Signed: _____

Applicant

Subscribed and sworn to before me this _____ day of _____, 20____



Notary Public in and for the State of _____
residing at _____

LEGAL DESCRIPTIONS

P32057 (1417 38th Street)

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 01 EAST, W.M.; THENCE WEST, ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH A DISTANCE OF 330.31 FEET; THENCE WEST A DISTANCE OF 140.00 FEET; THENCE NORTH A DISTANCE OF 330.31 FEET; THENCE EAST A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING. LESS THE NORTH 40.00 FEET. SURVEY RECORDED AF#200506150088. COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 01 EAST, W.M.; THENCE WEST, ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH A DISTANCE OF 330.31 FEET; THENCE WEST A DISTANCE OF 140.00 FEET; THENCE NORTH A DISTANCE OF 330.31 FEET; THENCE EAST A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING. LESS THE NORTH 40.00 FEET. SURVEY RECORDED AF#200506150088.

P32055 (1415 38th Street)

A TRACT OF LAND IN THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID SUBDIVISION 40.0 FEET SOUTH OF THE NORTHEAST CORNER THEREOF THENCE WEST PARALLEL TO THE NORTH LINE OF SAID SUBDIVISION 70.0 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE FROM SAID TRUE POINT OF BEGINNING SOUTH 0-19-30 WEST PARALLEL TO THE EAST LINE OF SAID SUBDIVISION, 255.3 FEET, MORE OR LESS, TO THE NORTH LINE OF SUMMER STREET (NOW VACATED) AS SHOWN ON THE PLAT OF GRAYS 2ND ADDITION TO THE CITY OF ANACORTES, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 13, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE WEST ALONG THE NORTH LINE OF SAID VACATED SUMMER STREET, 85.0 FEET; THENCE NORTH 0-19-30 EAST PARALLEL TO THE EAST LINE OF SAID SUBDIVISION 255.3 FEET; THENCE EAST 85.0 FEET TO THE TRUE POINT OF BEGINNING. SURVEY RECORDED AF#200506150088.

P32056 (1411 38th Street)

ACREAGE ACCOUNT, ACRES 0.47, A TRACT OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF 38TH STREET AND THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE WEST ALONG THE SOUTH LINE OF 38TH STREET, A DISTANCE OF 70 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THAT PROPERTY CONVEYED TO CYNTHIA L. DOLMAN BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 200408200109; THENCE SOUTH 00 DEGREES 19'30" WEST ALONG THE EAST LINE OF THE DOLMAN TRACT, A DISTANCE OF 255.3 FEET, MORE OR LESS, TO THE NORTH LINE OF THE BROADVIEW ADDITION SUBDIVISION; THENCE EAST ALONG THE NORTH LINE OF BROADVIEW ADDITION, A DISTANCE OF 70 FEET, MORE OR LESS, TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 13'30" EAST ALONG SAID EAST LINE, A DISTANCE OF 255.3 FEET, MORE OR LESS, TO THE SOUTH LINE OF 38TH STREET AND THE TRUE POINT OF BEGINNING. SURVEY RECORDED AF#200506150088. A TRACT OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF 38TH STREET AND THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE WEST ALONG THE SOUTH LINE OF 38TH STREET, A DISTANCE OF 70 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THAT PROPERTY CONVEYED TO CYNTHIA L. DOLMAN BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 200408200109; THENCE SOUTH 00 DEGREES 19'30" WEST ALONG THE EAST LINE OF THE DOLMAN TRACT, A DISTANCE OF 255.3 FEET, MORE OR LESS, TO THE NORTH LINE OF THE BROADVIEW ADDITION SUBDIVISION; THENCE EAST ALONG THE NORTH LINE OF BROADVIEW ADDITION, A DISTANCE OF 70 FEET, MORE OR LESS, TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 13'30" EAST ALONG SAID EAST LINE, A DISTANCE OF 255.3 FEET, MORE OR LESS, TO THE SOUTH LINE OF 38TH STREET AND THE TRUE POINT OF BEGINNING. SURVEY RECORDED AF#200506150088.

Ravnik & Associates, Inc.

CIVIL ENGINEERING & LAND-USE PLANNING

PROJECT NARRATIVE **38TH STREET 9-LOT SHORT PLAT**

for
Tom & Pam Allen
Revised February 18th, 2016

Tom and Pam Allen own three parcels of land along the south side of 38th Street, within the city of Anacortes, Washington. The subject property consist of parcel's 32055, 32056, and 32057, located south of 38th Street, approximately 470 feet west of "M" Avenue. There are two residences located within the project area having a street address of 1411 and 1417 38th Street and were constructed in 1956 and 1955 respectively according to Skagit County data. The eastmost house is served by an existing residential driveway comprised of asphalt which proceeds southerly from the south edge of 38th Street to serve the existing residence along the east side of the site and will remain. The westerly of the houses is also served by an existing driveway extending south from the south side of 38th Street, however this driveway will be removed for the construction of the new public road to access the new lots proposed herein. There is an additional asphalt driveway serving the middle lot which contains a garage building, both the garage and driveway are to be removed. In addition there are four other small out buildings onsite, three are to be removed and one which will be relocated.

Per the enclosed Preliminary Developed Conditions Plan, the sum area representing the nine residential lots is 1.77 acres and the total area of proposed right of way is 0.19 acres, therefore combined the three parcels equate to a total of 1.96 acres zoned R-2. Residential zoning and development adjoins the north, south, east, and west. The proposal herein is to provide access and utilities to serve the two existing residences to remain at the site along with the addition of 7 new single-family residences. Per City of Anacortes Code, the minimum lot size is 7,500 square feet (maximum 4 dwelling units/acre) having a front yard setback of 20-feet and the sum of the two side yards setbacks being not less than fifteen-feet, with a minimum of 5 feet on one side. For the proposed residential lots herein, the lot sizes will vary from 7,501 square feet to 13,994 square feet. The total area of the applicant's ownership is 1.96 acres. For the purposes of density calculations the total property area of 1.96 acres has been used, with the addition of the abutting half of the "K" Street right of way (0.08 acres) to the west and the abutting half of 38th Street right of way (0.27 acres) to the north. The sum of the areas used for density calculations is 2.31 acres. Based on a maximum of four dwelling units per acres, 9.24 or nine lots is the maximum that can be created with this project based on current zoning. In the future, if the density requirement changes for this site's zoning, Lot 9 will have sufficient area to be subdivided into two lots in the future.

A new road is proposed to extend from 38th Street, southerly to serve a total of 6 lots within the plat, with 3 lots accessing directly from 38th Street. A 24-foot-wide road terminating in a cul de sac is proposed. This best serves the configuration of residential lots, and will have curb/gutter, and sidewalks along both sides. No on-street parking is proposed. The driveway serving the westerly of the existing houses will be relocated to the west side of the project, while the easterly of the existing house sites will continue to be served via it's existing driveway along the east side

of the site. The two new house sites abutting the south side of 38th Street will be accessed directly from the south side of 38th with the exception of proposed Lot 4 which will access from the new plat road.

This property generally slopes downhill at 5-6% to the northeast, varying in elevation from 238 to 219. The site is not within the flood plain, therefore there are no base flood elevation requirements. Along the south side of 38th Street there exists a manmade drainage ditch which collects stormwater runoff from the area, conveying it easterly towards "M" Avenue. This drainage ditch system is a part of the City of Anacortes's storm collection and conveyance system.

Approximately 295 linear feet of 38th Street abutting the north side of this project will be widened to provide a minimum of 28-foot wide driving surface as required by the City of Anacortes. This will be achieved by widening the south edge of asphalt approximately 4-feet. In addition curb, gutter and sidewalk will be installed along the south side of the roadway along the project frontage. A new storm system will be installed in place of the existing open ditch that currently exists along the south side of the existing roadway.

The infrastructure proposed to provide services to these residential lots consists of the road section identified on the Developed Conditions Exhibit. The road section will accommodate two directional travel with curb, gutter, and sidewalks on each side. This roadway will terminate in a cul de sac at its southerly end. In addition to these roadway improvements to be dedicated as public right of way, all other utilities necessary to serve this residential plat will be constructed. The storm drainage system herein will likely comprise storm pipes up to 12-inch diameter. The proposed sanitary sewer system will contain pipes up to eight-inches in diameter. For the purposes of fire protection and domestic water service, an eight-inch diameter water main will be installed southerly from 38th Street within the road network system to the proposed fire hydrant location. Southerly from the fire hydrant, waterline will be reduced to 4" diameter as it will only serve domestic water services from that point south. A fire hydrant has been situated along the easterly side of the proposed new road as required by the City.

Coordination will be done with existing companies to provide utility extensions for underground power, telephone, television cable, and natural gas from these existing facilities in the 38th Street right of way.

The management of storm water runoff will be accomplished by providing upgrades to the undersized storm system at the 38th Street and M Avenue intersection as requested by the City. Per City engineering staff the undersized (6 and 8-inch diameter) piping at this intersection is the only conveyance restriction for the release of stormwater from the site. With this project upsizing pipes to 12-inch diameter means runoff can be released from the site undetained as the entire downstream conveyance system is entirely manmade, has capacity and discharges to an unrestricted salt water body (Fidalgo Bay). An underground storm system will be installed within the proposed roadway to collect and convey runoff waters northerly, where they will enter a biofiltration swale designed to provide water quality provisions for the site. Runoff flows and water quality design have been performed using the 2005 Department of Ecology standards and City of Anacortes requirements. Refer to the accompanying Preliminary Drainage Report.

A. BACKGROUND

1. Name of proposed project, if applicable:
Allen 38th Street 9-Lot Short Plat
2. Name of applicant:
Tom and Pam Allen
3. Address and phone number of applicant and contact person:
Applicant: *Tom and Pam Allen*
PO Box 817
Anacortes, WA 98221
(360)293-7754

Contact: *John Ravnik*
PO Box 361
Burlington, WA 98233
(360)707-2048
jravnik@ravnik.net
4. Date checklist prepared:
November, 2015
5. Agency requesting checklist:
City of Anacortes Planning Department
6. Proposed timing or schedule (including phasing, if applicable):
Short Plat infrastructure Spring-Summer 2016. House construction on individual lots based on economics. Potentially a second phase of this project may include the further subdivision of proposed Lot 9 into two lots if/when the zoning will allow.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No, with the exception of subdivision of proposed Lot 9 into two lots when zoning changes occur that would allow this to occur.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
No environmental information has been prepared that is known of other than Geotechnical information to identify underlying soils for infiltration capacity. A copy of the Geotechnical Report is provided in Appendix C at the end of this SEPA.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
None known of.

10. List any government approvals or permits that will be needed for your proposal, if known:

*Short Plat Application
Master Land Use Permit
Fill and Grade Permit
Building Permit
Right of Way Permit
NOI - DOE*

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.

The subject property consist of three parcels of land totaling approximately 1.96 acres, represented as parcel's 32055, 32056, and 32057, located south of 38th Street, approximately 450 feet west of "M" Avenue. The property is generally sloped downhill to the northeast, at approximately 5-6%. There are two residences located within the project area, having an address of 1411 and 1417 38th Street. These residences were constructed in 1956 and 1955 respectively according to Skagit County data. The east-most house is served by an existing residential driveway comprised of asphalt which proceeds southerly from the south edge of 38th Street to serve the existing residence. The westerly of the houses is also served by an existing driveway extending south from the south side of 38th Street, however this driveway will be removed for the construction of the new public road to access the new lots proposed herein. There is an additional asphalt driveway serving the middle lot which contains a garage building, both the garage and driveway are to be removed. In addition there are four other small out buildings onsite, three are to be removed and one which will be relocated. Please refer to the accompanying Existing Conditions Plan for the terrain conditions and location of existing houses, driveways, garage, and other existing features within the site.

Along the south side of 38th Street there exists a manmade drainage ditch which collects stormwater runoff from the area, conveying it easterly towards "M" Avenue. This drainage ditch system is a part of the City of Anacortes's storm collection and conveyance system.

Present utilities existing in the immediate vicinity comprise the following:

- There are presently two waterlines located within the 38th Street right of way. There is a 12-inch diameter AC waterline located approximately 25 feet north of the projects north property line. Additionally, there is a 16-inch diameter ductile iron waterline approximately 40 feet from the site's north property line. Both of these waterlines are owned by the City of Anacortes. The 12-inch AC waterline will be used to serve this short plat's fire and domestic water needs.*
- An eight-inch diameter concrete gravity sanitary sewer main which is owned by the City of Anacortes is located within the 38th Street right of way which is available to provide sanitary sewer service to the proposed short plat. This sewer system conveys flows easterly towards "M" Avenue.*
- Wire utilities comprising power, telephone, and television cable are located in the 38th Street right of way abutting the northerly side of the project. Natural gas also exists within the southerly side of the 38th Street right of way.*

As represented on the enclosed Preliminary Developed Conditions Plan, access to this project will be provided from the southerly side of 38th Street by the extension of a new plat

road. The new plat road conforms to the City's Short Cul-De-Sac road standard and will be constructed to serve five of the single family residential lots proposed within this residential short plat.

The driveway serving the westerly of the existing houses will be relocated to the west side of the project, while the easterly of the existing house sites will continue to be served via its existing driveway along the east side of the site. The two new house sites abutting the south side of 38th Street will be accessed directly from the south side of 38th. Per City of Anacortes Code, the minimum lot size is 7,500 square feet (maximum 4 dwelling units/acre) having a front yard setback of 20-feet and the sum of the two side yards setbacks being not less than fifteen-feet, with a minimum of 5 feet on one side. For the proposed residential lots herein, the lot sizes will vary from 7,501 square feet to 13,994 square feet.

The total area of the applicant's ownership is 1.96 acres. For the purposes of density calculations the total property area of 1.96 acres has been used, with the addition of the abutting half of the "K" Street right of way (0.08 acres) to the west and the abutting half of 38th Street right of way (0.27 acres) to the north. The sum of the areas used for density calculations is 2.31 acres. Based on a maximum of four dwelling units per acres, 9.24 or nine lots is the maximum that can be created with this project based on current zoning. In the future, if the density requirement changes for this site's zoning, Lot 9 will have sufficient area to be subdivided into two lots in the future.

Per the enclosed Preliminary Developed Conditions Plan, the sum area representing the nine residential lots is 1.77 acres and the total area of proposed right of way is 0.19 acres.

The infrastructure proposed to provide services to these residential lots consists of the road section identified on the Overall Site Plan and Grading Exhibit. The road section will accommodate two directional travel with curb, gutter, and sidewalks on each side. This roadway will terminate in a cul de sac at its southerly end. In addition to these roadway improvements to be dedicated as public right of way, all other utilities necessary to serve this residential plat will be constructed. The storm drainage system herein will likely comprise storm pipes up to 48" diameter. The proposed sanitary sewer system will contain pipes up to eight-inches in diameter. For the purposes of fire protection and domestic water service, an eight-inch diameter water main will be installed southerly from 38th Street within the road network system to the proposed fire hydrant location. Southerly from the fire hydrant, waterline will be reduced to 4" diameter as it will only serve domestic water services from that point south. A fire hydrant has been situated along the easterly side of the proposed new road as required by the City.

Coordination will be done with existing companies to provide utility extensions for underground power, telephone, television cable, and natural gas from these existing facilities in the 38th Street right of way.

The project proposes to improve the capacity restrictions (undersized 6" and 8" pipes) within the westerly side of the intersection of 38th Street and M Avenue, located approximately 470 feet easterly of the site. Based on the downstream analysis to ¼ mile downstream of the site, and with the project upsizing the undersized pipes as noted, there appear to be no other downstream conveyance restrictions. The City has stated that there are no additional conveyance restrictions beyond the ¼ mile analysis area. Stormwater from the site will be discharged via manmade conveyance facilities, and with the piping restrictions at M Avenue rectified, having sufficient capacity to the outfall at a unrestricted saltwater body (Fidalgo Bay), therefore Flow Control/Detention is not required per 2005 DOE Volume I, Section

2.5.7 Minimum Requirement #7: Flow Control as acknowledged by City staff. Water Quality provisions for the developed site are required and will be achieved by the incorporation of a grass-lined biofiltration swale. The site will collect runoff waters from impervious surfaces to an underground storm system to be installed within the proposed roadway which will convey runoff waters northerly, where they will be discharged into the westerly end of the proposed biofiltration swale. The proposed biofiltration swale will be sized to provide the necessary water quality for the water quality flow rate determined using WWHM software. Waters from the swale will flow easterly and be discharged into the storm system in 38th Street, which routes waters to the existing ditching system located along the southerly side of 38th Street. Runoff waters and stormwater design have been performed as required by the City of Anacortes Municipal Code and the Engineering Development Standards. Refer to the accompanying Preliminary Drainage Report and attached exhibits.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Per the accompanying Vicinity Map, the subject property is located in the Southeast quarter of Section 25, Township 35, Range 1E. The subject properties are south of 38th street, approximately 470 feet west of "M" Street in the City of Anacortes, Washington and are noted as parcel #P32055, P32056, P32057. Addresses currently assigned to the lots are 1415, 1411, and 1417 38th Street. Accompanying the Preliminary Short Plat Application provided with this SEPA is an updated subdivision guarantee. The legal descriptions for the subject properties are located below.

LEGAL DESCRIPTIONS

P32055 (1415 38th Street)

A TRACT OF LAND IN THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID SUBDIVISION 40.0 FEET SOUTH OF THE NORTHEAST CORNER THEREOF THENCE WEST PARALLEL TO THE NORTH LINE OF SAID SUBDIVISION 70.0 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE FROM SAID TRUE POINT OF BEGINNING SOUTH 0-19-30 WEST PARALLEL TO THE EAST LINE OF SAID SUBDIVISION, 255.3 FEET, MORE OR LESS, TO THE NORTH LINE OF SUMMER STREET (NOW VACATED) AS SHOWN ON THE PLAT OF GRAYS 2ND ADDITION TO THE CITY OF ANACORTES, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 13, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE WEST ALONG THE NORTH LINE OF SAID VACATED SUMMER STREET, 85.0 FEET; THENCE NORTH 0-19-30 EAST PARALLEL TO THE EAST LINE OF SAID SUBDIVISION 255.3 FEET; THENCE EAST 85.0 FEET TO THE TRUE POINT OF BEGINNING. SURVEY RECORDED AF#200506150088.

P32056 (1411 38th Street)

ACREAGE ACCOUNT, ACRES 0.47, A TRACT OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF 38TH STREET AND THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;

THENCE WEST ALONG THE SOUTH LINE OF 38TH STREET, A DISTANCE OF 70 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THAT PROPERTY CONVEYED TO CYNTHIA L. DOLMAN BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 200408200109; THENCE SOUTH 00 DEGREES 19'30" WEST ALONG THE EAST LINE OF THE DOLMAN TRACT, A DISTANCE OF 255.3 FEET, MORE OR LESS, TO THE NORTH LINE OF THE BROADVIEW ADDITION SUBDIVISION; THENCE EAST ALONG THE NORTH LINE OF BROADVIEW ADDITION, A DISTANCE OF 70 FEET, MORE OR LESS, TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 13'30" EAST ALONG SAID EAST LINE, A DISTANCE OF 255.3 FEET, MORE OR LESS, TO THE SOUTH LINE OF 38TH STREET AND THE TRUE POINT OF BEGINNING. SURVEY RECORDED AF#200506150088. A TRACT OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF 38TH STREET AND THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE WEST ALONG THE SOUTH LINE OF 38TH STREET, A DISTANCE OF 70 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THAT PROPERTY CONVEYED TO CYNTHIA L. DOLMAN BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 200408200109; THENCE SOUTH 00 DEGREES 19'30" WEST ALONG THE EAST LINE OF THE DOLMAN TRACT, A DISTANCE OF 255.3 FEET, MORE OR LESS, TO THE NORTH LINE OF THE BROADVIEW ADDITION SUBDIVISION; THENCE EAST ALONG THE NORTH LINE OF BROADVIEW ADDITION, A DISTANCE OF 70 FEET, MORE OR LESS, TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 13'30" EAST ALONG SAID EAST LINE, A DISTANCE OF 255.3 FEET, MORE OR LESS, TO THE SOUTH LINE OF 38TH STREET AND THE TRUE POINT OF BEGINNING. SURVEY RECORDED AF#200506150088.

P32057 (1417 38th Street)

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 01 EAST, W.M.; THENCE WEST, ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH A DISTANCE OF 330.31 FEET; THENCE WEST A DISTANCE OF 140.00 FEET; THENCE NORTH A DISTANCE OF 330.31 FEET; THENCE EAST A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING. LESS THE NORTH 40.00 FEET. SURVEY RECORDED AF#200506150088. COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 01 EAST, W.M.; THENCE WEST, ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH A DISTANCE OF 330.31 FEET; THENCE WEST A DISTANCE OF 140.00 FEET; THENCE NORTH A DISTANCE OF 330.31 FEET; THENCE EAST A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING. LESS THE NORTH 40.00 FEET. SURVEY RECORDED AF#200506150088

B. ENVIRONMENTAL ELEMENTS**1. Earth****a. General description of the site**

(circle one): Flat, rolling, hilly, steep slopes,
mountainous, other _____

The site has a gentle 5% - 6% slope downhill to the northeast.

b. What is the steepest slope on the site (approximate percent slope)?

The steepest slope onsite is approximately 8-10%, however a majority of the site contains slopes of approximately 5%.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Per the USDA Soil Survey, two types of onsite soils exist as denoted on the enclosed NRCS Soil Resource Report Exhibit attached. Within a small area within the southeast corner of the site, the soils are identified as Bow urban land complex (#20). Bow urban land complex is noted as being very deep somewhat poorly drained soil and having a hydrologic group classification of "D". The soils within the majority of the site are noted as Coveland gravelly loam (#35), a very deep, somewhat poorly drained soil also having a hydrologic group classification of "D". Refer to the attached soils information from the National Resources Conservation Services and the Soils Conservation Services Soil Survey for Skagit County located within appendix C.

Please also refer to the Geotechnical investigation performed by MTC in Appendix C, further clarifying the quality of soils.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Within the property, topsoil and organic soils will be stripped from the areas of the site for proposed driveways and house sites within new residential lot areas. This material which constitutes approximately 763 cubic yard will be stock piled for common lot fill around, but not under, structures. Construction of the proposed infiltration system will involve additional excavation of approximately 150 cy of soil materials. The quantity of excavated soil can potentially be used to partially fill the proposed residential lots.

Within the alignment of proposed roads, topsoil materials will be removed prior to the placement of the structural fill for the road base. For the purposes of roadway construction, approximately 450 cubic yards of organic topsoil materials will be excavated and approximately 350 cubic yards of gravel structural fill and crushed rock will be imported for the roadway construction. Gravel structural fill will consist of gravel borrow and will be obtained from a Skagit County gravel source. All excavated topsoil materials will be saved and used as common lot fills. The common lot fills will not be recognized as any form of a

structural fill. Common lot fills will have to be excavated through for the construction of residential foundations. Within this project, approximately 222 lineal feet of new roadway construction will occur.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
Yes, as soils are exposed to rainfall impacts, erosion can occur.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Within this project area encompassing a total of 1.96 acres, impervious improvements are recognized as roadways, sidewalks, and onsite residential improvements. Combined, the proposed roads and sidewalks equate to approximately 0.27 acres. Based on each residential lot having approximately 1,800 square feet of house and 1,000 square feet of driveway equates to 2,800 square feet of impervious cover per lot. Additionally, a 24' x 36' garage building and new driveway are proposed along the westerly side of the site to serve the existing west residence. These new impervious surfaces equate to approximately 0.57 acres of residential impervious improvement to be constructed. In summary, the combined impervious areas total 0.84 acres of impervious surfaces which equates to 42.8% of the 1.96 acre subject property.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

As necessary, provisions to filter runoff waters before they enter the abutting drainage ditch along the south side of 38th Street. Silt fences and temporary scratch ditches will also be implemented where needed, and silt sacks will be installed under the grates of new catch basins as they are installed.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

During the short plat's construction activities, there will be equipment operating such as bulldozers, excavators, and dump trucks. This equipment will be maintained during construction for its optimum performance. There will not be any burning performed during any of the construction activities. Upon the project's completion, the only emissions generated will be from vehicles entering and exiting the residential plat and from the residential grade heating systems. The design of residential heating systems will conform to city and state regulations.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

During construction, construction equipment will be maintained. The design of residential heating systems will conform to city and state regulations.

3. Water**a. Surface Water:**

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

There are no surface water bodies on or in the immediate vicinity of the site other than the open drainage ditch located along the south side of 38th Street, paralleling the north side of the property.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

None other than the extension of an existing culvert under the new roadway, installation of culvert under the new driveway to serve the existing residence on the west side of the site, and an outfall from the infiltration/detention facility.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

There will not be any water withdrawn nor will there be any diversions of existing drainage courses.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No. The proposed residential short plat will be served by a public sanitary sewer system.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No ground water will be withdrawn as part of this project. Storm water runoff from this residential development will be collected and routed to an underground infiltration/detention system where potentially, infiltration will be conducted to discharge runoff waters. As noted in the accompanying Geotechnical Investigation, the underlying soils have also been examined for their ability to provide treatment during the course of infiltration. A storm runoff treatment structure has been provided upstream of the infiltration/detention facility for road runoff treatment. All stormwater runoff treatment provisions will be the 2005 Department of Ecology Stormwater Manual.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

No waste materials will be discharged into the ground.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Please refer to the accompanying Preliminary Drainage Analysis Report in Appendix D.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No. The only "waste material" associated with this project is residential grade sewage waste which will be managed by a new sanitary sewer system connected to the City's sewer system. Storm water runoff will purposely be conveyed to a water quality vault prior to discharging to the proposed infiltration/detention facility where some infiltration will occur.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

This project proposes to replace existing, undersized storm drain piping at the intersection of 38th Street and M Avenue located approximately 470 feet easterly (downstream) of the project. According to the downstream analysis to ¼ mile downstream of the site replacement of the undersized piping at the M Street intersection, with 12-inch diameter pipe will remove any conveyance restrictions. Runoff discharged from the site will be routed via manmade drainage facilities, ultimately being discharged into Fidalgo Bay (an unrestricted salt water body) located 0.88 acres northeasterly of the site, therefore no detention is required as confirmed with City staff.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

A storm water infiltration/detention facility will be designed and constructed per the 2005 DOE standards. The design and function of this facility will be reviewed and approved by the City prior to construction.

4. Plants

- a. Check the types of vegetation found on the site:

☒ deciduous tree: alder, maple, aspen, other

☒ evergreen tree: fir, cedar, pine, other

☒ shrubs

☒ grass

☐ pasture

☐ crop or grain

☐ Orchards, vineyards or other permanent crops.

☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

☐ water plants: water lily, eelgrass, milfoil, other

____ other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

Existing trees that are within building setbacks may be left providing the tree is determined to be safe. Trees within the building footprints will be removed. Trees within proposed rights of ways will be removed. Construction of all roads, sidewalks, utility corridors, when combined, equates to approximately 0.75 acres. The vast majority of the vegetation being removed will be either grass or pasture. A Tree Preservation Plan has been prepared for this project and is included within the Preliminary Short Plat submittal.

- c. List threatened and endangered species known to be on or near the site.

There are no known endangered species on or near the site.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Street trees as required by the City of Anacortes landscape ordinance, will be incorporated into the short plat development. In addition, individual lot development will include trees, shrubs, and ground cover.

- e. List all noxious weeds and invasive species known to be on or near the site.

There are no known noxious weeds nor invasive plant species on or near the site.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other: rabbits

fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site.

None known of.

- c. Is the site part of a migration route? If so, explain.

Many parts of Skagit County are located within the Pacific Flyway. It is very likely that the subject property and the surrounding land are located within a migration route.

- d. Proposed measures to preserve or enhance wildlife, if any:

None other than the installation of landscaping.

- e. List any invasive animal species known to be on or near the site.

None are known of.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Both electricity and natural gas will be used for heating and cooling purposes within the single family residential homes associated with this project.

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.

No aspects of this proposed residential development will have a negative impact on the potential use of solar energy by adjacent properties.

- c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:

All residential development will have to conform with the International Building Code and Energy Code provisions therein.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe.

- 1) Describe any known or possible contamination at the site from present or past uses.

The existing onsite residences were constructed in the mid 1950's, while records indicate that the existing garage building to be removed was constructed in 1900. There is no known evidence of contamination onsite from past uses and activities.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

There are no known hazardous chemicals or conditions that may affect this proposed residential development.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

There will not be any, nor will there be any need for any, toxic or hazardous chemicals used during the construction of this residential plot. At such time as residences are constructed on this property, the only anticipated chemicals would be common household cleaning solutions.

- 4) Describe special emergency services that might be required.

No special emergency services are anticipated for the residential uses proposed herein.

- 5) Proposed measures to reduce or control environmental health hazards, if any:
None.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

There are no existing noises in the area that will negatively impact the functionality of this proposed residential short plat.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?

Indicate what hours noise would come from the site.

During the construction activities, which are anticipated to take approximately 2-4 months for this residential short plat infrastructure, there will be noises from common construction equipment such as dump trucks, excavators, vibratory rollers, and other equipment. During the period when individual residential homes are constructed, there will be common noises generated by backhoes, saws, and hammering. During the residential short plat infrastructure construction, work will likely occur from approximately 7:00 am to 6:00 pm Monday – Friday. These are also common work hours for the individual residential home construction period. Upon complete build-out of this residential plat, typical noises will be vehicles entering and exiting the residential plat and children playing outdoors.

- 3) Proposed measures to reduce or control noise impacts, if any:

None

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site currently supports two single family homes along with various out buildings on the three parcels that are contained within this project area. The two single family residences are to remain, with the other various out buildings to be removed to allow for future residential development. Adjacent properties to the north, east, south, and west are all developed single family home sites. None of these development activities nor the long term residential occupancy is anticipated to negatively impact any surrounding properties.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe.

How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Based on aerial photographs obtained from Skagit County's iMap, these lots have been residentially used since at least 1969, with no evidence of it being used as working farm land or working forest lands. Refer to the attached 1969 aerial photograph attached in appendix A

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Abutting the project area, there are no working farm nor any working forest land areas. The development and occupancy of this residential short plat will not be negatively affected, nor will it have a negative effect on the agricultural farm activities or forest land.

- c. Describe any structures on the site.

There are currently seven existing buildings onsite. Two of the existing buildings are residential homes which are to remain, four are small garage and out buildings which will be removed, and one small out building which will be relocated onsite as desired by the owner. Refer to the attached Existing Conditions SEPA Exhibit attached in Appendix B.

- d. Will any structures be demolished? If so, what?

Yes, the existing garage building along with three additional onsite out buildings will be demolished to allow for the new residential development.

- e. What is the current zoning classification of the site?

The project area is currently zoned Residential-Low Density (R-2)

- f. What is the current comprehensive plan designation of the site?

Residential-Low Density (R-2)

- g. If applicable, what is the current shoreline master program designation of the site?

Not applicable.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No.

- i. Approximately how many people would reside or work in the completed project?

The full build-out of the subject property will not employ any individuals however, based on the total of 9 residential lots and 4 people per home, there will be approximately 36 people residing in this residential short plat. If in the future Lot 9 is subdivided into two lots this would add an additional 4 people for a total of 40 people.

- j. Approximately how many people would the completed project displace?

None as the two existing houses within the project area will be retained.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

This project will not create any displacement impact as the two existing houses on site are to remain.

- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Development of the subject property for a single family residential short plat is a permitted use within City of Anacortes zoning code. This project will be publicly advertised and notices sent to all surrounding property owners within 300'. The public hearing process conducted

for this project will allow surrounding property owners to participate and comment upon this residential short plat.

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

There are no agricultural or forest land activities nearby.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Initially seven new middle income single-family house sites will be created adding to the two that currently exist for a total of nine upon full buildout, on the nine new lots. There is a possibility that proposed Lot 9 will be further subdivided in the future into two lots which would add one additional house site for a total of 10 single-family units on the 10 lots.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No units are proposed to be moved with this project. All homes will be middle income.

- c. Proposed measures to reduce or control housing impacts, if any:

This project will not create any housing impact as the two existing houses on site are to remain.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The proposed residences within this short plat are anticipated to be 1 and 2 story. For a 2 story single-family residence, a structure height of approximately 24' is anticipated. All residences will have some form of siding.

- b. What views in the immediate vicinity would be altered or obstructed?

The offsite adjacent property north is at a lower elevation than the subject property herein with predominant views northeasterly towards the water, so therefore, the view will not be impacted. Property to the south have existing houses their fronts facing southerly, away from the property.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

The intended middle income level of residential homes will likely have earth tone colors and landscape features that will complement each lot's residential development so as to not provide an aesthetic detriment to the surrounding residentially developed properties.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Street lights will be installed along the proposed public right of ways as dictated by the City of Anacortes, Puget Sound Energy and Into Light. Each residence will have some lights attached to the outside of their home for safety and access purposes. The exterior residential lighting will likely be on only during the evening hours when it is dark.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

All lighting is anticipated to be low intensity, typical residential lighting that will be directed to only illuminate the immediate vicinity and down upon the driving surfaces. No lighting will be directed upwards.

- c. What existing off-site sources of light or glare may affect your proposal?

None.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Street lights, which are the brightest light within this project, will be hooded and directed to cast their light down upon the underlying drive surface and sidewalks. Individual house-mounted lighting will be low intensity and will not create any impact on surrounding properties.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Ace of Heart's Park is located approximately 350-feet westerly of the project, at the west end of 38th Street.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None, as this project will not generate any negative impact on surrounding recreational opportunities.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

The two existing single-family residential structures located within the project area were constructed in 1955 and 1956 per Skagit County records. In addition the existing garage onsite is noted as being constructed in 1900. This structure is not listed in nor eligible for listing in any national, state, or local preservation registers. Based upon a review of Skagit County records for homes that were constructed on the adjacent offsite properties, the oldest

home constructed was in 1925. Other surrounding residences were constructed in the 1950's through the 1990's.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

According to the Department of Archaeology and Historic Preservation "WISSARD" Map there are no "Registered Properties" found to be in the vicinity per the DAHP WISSARD map. Refer to the attached DAHP Map Exhibit in Appendix C showing the location of the aforementioned barns.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. *Department of Archaeology and Historic Preservation "WISSARD" Map was used to investigate the site.*
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. *The extent of investigation with the DAHP has not resulted in any archeological evidence on the property. None the less, if any potential evidence is encountered during site development, work will be halted and local authorities will be contacted.*

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

This project will provide for a 25-foot wide public right of way connection which will extend southerly from the south side of 38th Street as represented on the Preliminary Developed Conditions Plan accompanying this SEPA in appendix B.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? *The nearest Skagit Transit Route is at Highway 20, approximately 2,000 feet to the northwest of the project.*
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? *This residential plat project does not create any specific parking spaces nor will it eliminate any. Within the proposed two lane road contained within a 25-foot-wide right of way, no on-street parking is proposed. All other parking will be provided upon each individual residential lot as it is developed.*
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

38th Street will be widened approximately 4-feet along it's southerly side to provide for at least a 28-foot wide driving surface along the project frontage. The proposed plat road to be constructed within this residential plat will be contained within a right of way dedicated to the City of Anacortes. All roads will be bordered on both sides by a 5-foot wide sidewalks as represented on the accompanying Preliminary Developed Conditions Plan. The new street will be constructed per the road cross sections provided on the Developed Conditions Exhibit. To date, through coordination with the City of Anacortes, no improvements to offsite roads has been required.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

Based on a total of nine single family residential lots, by utilizing the Institute of Transportation Engineers Trip Generation manual, seventh addition, each single family detached house will generate approximately 9.5 trips per day for an estimated total of approximately 86 vehicle trips per day for all lots herein. With the development herein proposing middle income housing, most individuals will work. As such, the peak hour traffic will generally be in the afternoon between approximately 5:30 pm and 6:30 pm. Based upon the ITE manual, each lot will generate approximately one peak hour trip. For this residential short plat, a total of approximately nine peak hour trips will be generated each weekday afternoon between 4:00 pm and 6:00 pm (two of these trips is existing due to the two residences currently onsite). Due to the nature of this project, all vehicles will be cars and pickups. Other than having occasional services provided to any of the residences, the peak hour traffic will not contain any significant quantity of commercial vehicles. If in the future the density requirements change and lot 9 is further subdivided into two lots this would add an approximate 10 additional trips per day, and one more peak hour trip will be generated.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
- This project will not have a negative effect nor be negatively affected by the movement of agricultural or forest products on surrounding road network.*

- h. Proposed measures to reduce or control transportation impacts, if any:

This project's roadway connection to 38th Street will provide safe visibility in both directions at a stop sign controlled intersection at the north end of the new roadway connection to 38th Street.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

As with the addition of new residences to any community, there will be an increased need for fire protection, police protection, healthcare, and schools. On the basis that each residence provides 1.5 children to the Anacortes School District, full build-out of this project could generate approximately 11 new children to the school district based on the construction of seven new homes. This number would increase to 12 new children in the school district if lot 9 subdivides in the future.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

Impact fees regulated by the City of Anacortes for public services and schools will be paid to mitigate the impacts of the new home sites.

16. Utilities

- a. Underline utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other: Cable & Drainage

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Wire utilities comprising electricity, telephone, and television cable will be installed underground to serve this residential plat from existing utilities available in the 38th Street right of way. Water for fire protection and domestic water services will involve the installation of water lines up to eight-inch in diameter within the new residential plat road. Sanitary sewer piping up to eight-inches in diameter will be constructed to convey all sewage to the City of Anacortes's sewer system located within the 38th Street right of way. For the purposes of storm drainage, pipe diameters up to 48-inches in diameter will be used in the plat.

C. SIGNATURE

I certify (or declare) under penalty of perjury under laws of the State of Washington that the above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make a decision.

Signature: _____

Name of signee Thomas L. Allen

Position and Agency/Organization Trustee

Date Submitted: 2/25/2016

Ravnik & Associates, Inc.

CIVIL ENGINEERING & LAND-USE PLANNING

March 9th, 2016

Kevin Cricchio, AICP, Associate Planner
Anacortes Planning, Community & Economic Development Dept.
PO Box 547
Anacortes, WA 98221

RE: 9 Lot Short Plat (SPL-2015-0006); 38th Street Short Plat; Subject Parcels: P32055, P32056, & P32057

Dear Mr. Cricchio-

Thank you for forwarding us City comments on the above noted project. Below we have provided each comment provided in your January 20, 2016 letter along with comments provided via the public works department Memo dated January 18, 2016. A response has been provided below each item *italics* for clarity.

Comments per the City of Anacortes Planning, Community & Economic Development Department letter dated January 20, 2016.

1. Sheet 2 of 2 of the subject short plat appears to be missing in your submittal.

Response: *Sheet 2 of 2 of the Short Plat, is attached.*

2. Please add the file numbers "SPL-2015-0006" and "Public Works No. 16-010 DEV" to all sheets.

Response: *File numbers have been added to all sheets as requested.*

3. As was discussed in the DRG meeting (summary letter attached) held on August 25, 2015, a tree preservation plan prepared by an ISA certified arborist is required. The report needs to show how conformance with AMC Chapter 16.50 (i.e., minimum number of tree credits, etc.) is being met. Additionally, the tree preservation plan needs to identify those trees designated for retention and removal.

Response: *Urban Forestry Services has prepared a Tree Preservation Plan for this project to show conformance with AMC Chapter 16.50 form this work. Please refer to the information prepared by them attached with this resubmittal.*

4. The short plat map also needs to accurately show the location of the trees identified in the tree preservation plan for retention and removal. In other words, both the tree preservation plan and short plat map need to be consistent.

Response: *Tree locations will be shown on the civil plan exhibits and will be included on civil construction drawings. Per our meeting at the City of Anacortes on January 27th these trees do not need to be shown on the short plat maps.*

5. On the short plat map, please show the distances that structures are from both existing and proposed property lines. Nonconformities cannot be created.

Response: *Distances to structures have been added as requested.*

6. On the short plat map, please show the underlying platted lots, location of well heads and location of septic tanks /fields.

Response: *The three underlying platted lots are shown on sheet 1 of 2 of the plat map. There are no septic systems or well heads known to be on the project area.*

7. On sheet 1 of 2, please include the name of the landowner /applicant and list three (3) subject parcels involved in the subject short plat.

Response: *This information is located on sheet 1 of 2 of the Short Plat Map.*

8. On sheet 1 of 2, please include both the net and gross square footage involved in the subject short plat along with your density calculation. Additionally, please show how conformance with the maximum density (4 dwelling units per acre) requirement per AMC 17.36.080 is being met in the R2 Zoning District.

Response: *This information has been added to sheet 1 of 2 of the Short Plat Map. This information is also located on sheet 1 of the civil plan project exhibits.*

9. On sheet 2 of 2, please include an accurate legal description of the land involved in the subject short plat.

Response: *The legal description for this project is shown on sheet 2 of 2 of the Short Plat Map.*

10. Overhead power lines are required to be placed underground. Please note this on sheet 1 of 2.

Response: *This information has been shown on the Existing Conditions Exhibit (sheet 2 of 3) per our meeting with the City on January 27th.*

11. Please revise your landscape plan to show conformance with AMC Chapter 17.41 is being met. Twenty (20) percent of the gross site area shall be landscaped per AMC 17.41.020(G). Additionally, planting along street frontages shall be a minimum of fifteen (15) feet in width. Trees shall be planted at an average of thirty (30) feet apart in the planting areas.

Response: *A Landscape plan has been submitted showing the 15-foot wide street frontage requirement and street tree plantings at an average of 30-feet apart as required. The Landscape Plan submitted herein has been updated to provide a typical detail showing individual lot landscaping requirements as agreed at our meeting with the City on January 27th.*

12. Please provide two (2) sets of address labels of landowners within 300 feet of the subject properties involved. You can obtain this information from either a local title company or by contacting Lisa Henderson in the Skagit County Assessor's Office at (360) 416-1797. Lisa can provide you with a list of landowners within 300 feet of the subject property which you then can create labels from.

Response: *Attached within the original submittal is a map along with a list of surrounding property owners and mailing information. Attached herein are two sets of labels for these listed property owners as requested.*

The following comments are per the Public Works Department Memo dated January 18, 2016. A response has been provided below each item *italics* for clarity.

SUBMITTAL CHECKLIST – SHORT PLAT

Item A.3.: Provide the names of the applicants on the face of the Short Plat.

Response: *This information has been added to the Short Plat map as requested.*

Item A.4.: A legal description was not provided in the Short Plat for review. Unless it is on Sheet 2 of 2, which is not part of the routed submittal.

Response: *A legal description is located on sheet 2 of 2 of the Short Plat Map.*

Item A.7.: Identify the private access driveway to Lot 12 and 13 referenced in AF#201502060053. Additionally, there are easements of record that are not identified on the face of the Short Plat.

Response: *Private access driveway to Lot 12 & 13 have been identified along with easements of record. In addition the existing recorded agreement AFN 201506110055 between Tom Allen and Mr. and Mrs. Haakenson regarding the relinquishment of the recorded easement to lots 12 & 13 located on the southeast corner of the subject property.*

Item A.8.: The road is implied to be Public, but not shown on the face of the Plat.

Response: *The interior road has been denoted as "Public" on the Short Plat map.*

Item A.9.: Refer to the Public Works memo, dated September 14, 2015 regarding lot accesses. The addressing shall match that memo.

Response: *Lots 2, 3, & 5 will be accessed from 38th Street.*

Lots 1, 4, 6, 7, 8, & 9 will be accessed from the interior road

Item H.3.: Provide a copy of the deed of record for the land in the Short Plat.

Response: *A current Subdivision Guarantee was provided with the Short Plat submittal.*

Item H.4.: Provide a sworn statement, plus other items requested under this item.

Response: *A signed and notarized Ownership Certification and other submittal documents have been signed by the owner as required by the City. Per our meeting with the City on January 27th no other documents necessary regarding this item.*

Item H.4.: Provide a signed statement.

Response: *A signed and notarized Ownership Certification and other submittal documents have been signed by the owner as required by the City. Per our meeting with the City on January 27th no other documents necessary regarding this item.*

Item H.6.: Any private restrictions and covenants should be submitted as well.

Response: *No covenants or restrictions are proposed at this time. Any covenants and/or restrictions proposed prior to final Short Plat approval for this project will be submitted to the City for their review as required.*

PW#3: It is requested that a separate drawing with just the drainage be submitted. The existing drawings are unclear how the proposed drainage will work and be maintainable. Additionally, the applicant should discuss how this proposal complies with the Large Parcel Storm Water Plan.

Response: As discussed on our January 27th meeting with City staff a new drainage design will be investigated. The projects civil exhibits have been updated to depict the new drainage concept, and the Preliminary Drainage Summary attached has also been updated to reference this. At this time the drainage design is intended to be preliminary in nature and specifics for drainage design will be submitted along with civil construction plans for review, comment, and approval by the City as required at time of application for Fill and Grade Permit. In addition, with Fill and Grade Permit submittal a Large Parcel Storm Water Plan for this project will be prepared and submitted as required by the City.

PW#6: Identify the well head locations, on the property, that are referenced in the Geotechnical Report. This property is located in an area of natural springs.

Response: There are no known well head locations or located within the project area. The Geotechnical report only references "Well logs" in the general area, not within the subject property.

PW#8: Applicant states there are no Critical Areas, but should provide a drawing of record that identifies there is not.

Response: Review with City staff on January 27th 2015 it was determined that there are no critical areas within or near the site per the City's Critical Area Map. Please let us know if we need to provide any additional information on this item.

PW#9: Public Works Project Number is PW#16-010-DEV.

Response: This project number has been added to all sheets.

PW#11: Identify the existing septic fields on the properties. There should be at least two. One for each home.

Response: Per City records the onsite houses are served by public sanitary sewer stubs and there are no known septic systems within the project area.

PROJECT NARRATIVE (December 7, 2015)

Page 1, paragraph 3: Revise total number of lots to 6 that will access off of the new road and revise the number of lots to 3 that will access off of 38th Street.

Response: We have revised the project Narrative to denote 6 lots are to access off the interior plat road.

Review the Public Works memo, dated September 14, 2015 regarding access. Lot 4 does not meet the requirements of the Engineering Standards.

Response: Below are lot access locations which are noted with an asterisk on the submitted civil plan exhibits plans per the noted memo:

Lots 2, 3, & 5 will be accessed from 38th Street.

Lots 1, 4, 6, 7, 8, & 9 will be accessed from the interior road

Page 2, paragraph 3: Add installation of an ARV at the end of the line.

Response: An air relief valve is shown at the south end of the proposed waterline on the project exhibits, we just did not go into design specifics in the project narrative. It was agreed at the January 27th meeting with the City this was not a necessary update.

Page 2, paragraph 4: The description provided appears to be different than what is shown in the Preliminary Drainage Report. Hence, the request for a separate drainage drawing, as identified above.

Response: *As discussed on our January 27th meeting with City staff a new drainage design will be investigated. The projects civil exhibits have been updated to depict the new drainage concept, and the drainage summary has also been updated to reference this. Additionally, the project narrative has been updated to reference the new design.*

SEPA (November 2015)

Page 3, Item 10: Should list Construction Storm Water Discharge Permit by the Department of Ecology.

Response: *The necessary Construction Stormwater Discharge Permit is noted as the "NOI" on the list noted within the SEPA.*

Page 4, paragraph 8: The project needs to meet the requirements of the Anacortes Municipal Code and the Engineering Development Standards. Not just the Department of Ecology.

Response: *This was the intent of the statement. We have restructured the sentence to help clarify this.*

Page 7, Section B, Item 1.C: This area is surrounded by natural springs. The report did not extend beyond the boundaries of the project.

Response: *Noted*

Page 7, Section B, Item 1.E: The grading plan will reflect the loading of the lots.

Response: *No significant grading is anticipated on the lot areas with this short plat development. With the construction plans a plan and profile design will be prepared for the interior road design to depict grading, and it is anticipated that spoils from road construction will be hauled offsite. Once plat infrastructure is complete and construction is proposed for new residences on individual lots, only a small amount of lot grading will occur, therefore as agreed at the January 27th meeting no grading plan for on the lots is necessary.*

Page 8, Section B, Item 1.H: What is a scratch ditch?

Response: *A scratch ditch is another name for Interceptor/Perimeter ditch. For this project these types of ditches will be used to collect offsite waters upland of the project and bypass them around the site as noted on the plans.*

Page 9, Section B, Item 3.B.1: The word potential is used. Will it infiltrate or not?

Response: *We are no longer proposing infiltration for this project, therefore this note is no longer applicable.*

Page 10, Section B, Item 3.D: City would prefer to not have detention. Suggest correcting the downstream deficiencies and provide only water quality. The Preliminary Drainage Report did not do a downstream analysis as required by the Anacortes Municipal Code.

Response: *As discussed on our January 27th meeting with City engineering staff and City's agreement that with upgrades to the storm system at 38th and "M" as needed to 12-inch diameter piping for capacity, there is adequate capacity in the downstream system such that the City will not require detention for stormwater runoff from this project. Therefore a new drainage design has been prepared to eliminate the detention*

facilities previously proposed and the project civil exhibits have been updated to depict the new drainage concept without detention and using a biofiltration swale for water quality. The SEPA has also been updated to reference the updated design. The design currently noted has been preliminarily reviewed with City engineering staff

Page 14, Item L response: Remove the words "an outright" and replace with "a"

Response: *A short plat as proposed within this zoning is "an outright" permitted use, however we have removed the word "outright" as requested.*

SITE PLAN, ROAD PROFILE, VICINITY MAP (December 14, 2015)

Additional comments are on the 3 sheets.

Sheet 1 of 3: Provide the correct contact information. Attached for Applicants convenience.

Response: *We have added additional contact information as requested.*

Sheet 2 of 3: Identify existing well locations on the property.

Response: *According to the Department of Ecology well log information there are no onsite wells.*

Sheet 2 of 3: Identify existing septic tanks and fields. Show if they are abandoned.

Response: *There are no known existing septic tanks for fields on the site. Both of the existing residences within the project boundary are served by public sanitary sewer stubs as shown on the project exhibits. It has also been confirmed that these two residences pay a City sewer bill. Furthermore, the County does not indicate any septic information on their website for any of the parcels included in the submittal herein.*

Sheet 2 of 3: Are the existing homes connected to the sanitary sewer? Show as-built on the existing conditions.

Response: *Existing sanitary sewer stubs per City records are shown on the Existing Conditions map and are noted as "EX. SS STUB"*

Sheet 3 of 3: Identify property accesses and how the off-street parking will be taken care of. See Public Works memo, under Streets regarding Lot accesses.

Response: *As noted in the Public Works Memo noted:*

Lots 2, 3, & 5 will be accessed from 38th Street.

Lots 1, 4, 6, 7, 8, & 9 will be accessed from the interior road

Sheet 3 of 3: Show two street lights to be installed. One in the Cul-de-Sac and the other at the intersection of Baughn Lane and 38th Street. This was identified in the Public Works memo.

Response: *We have updated the plans to show two street lights as requested.*

Sheet 3 of 3: Since there is discussion about splitting Lot 9 into two lots in the future, will there be a 3rd meter installed with provisions to access without disturbing any infrastructure?

Response: *No, as currently zoning does not allow the extra lot therefore it is not assured that this will occur. The intent was to simply note it as a possible future condition.*

Sheet 3 of 3: All private sanitary sewer side service stubs in the Public Right-of-Way shall be 6-inch, per the EDS Standards, Chapter 5, Section S1-10 Side Sewers.

Response: *A private sanitary sewer side service stubs have been updated so they are 6-inch diameter as requested.*

Sheet 3 of 3: All existing overhead utilities shall be converted to underground to the existing homes.

Response: *A note has been added to the existing conditions sheet 2 of 3 as requested.*

Sheet 3 of 3: Storm drainage will be worked out at Civil Construction plan submittal. A reduction in pipe and structures can be made to achieve the same as shown.

As shown, even on a full sheets is very difficult to determine what is going on.

Response: *As discussed on our January 27th meeting with City staff a new drainage design will be investigated. The projects civil exhibits have been updated to depict the new drainage concept, and the drainage summary has also been updated to reference this. Additionally, the project narrative has been updated to reference the new design.*

Outlet of the private 6-inch perforated pipe into the existing swale is a concern regarding back feed into the pipe when the swale is running full.

Response: *Backflow will not be an issue as the pipes referenced are discharging bypass waters collected by the perimeter interceptor ditching system which is contributing from elevations much higher than the top of ditch at 38th street.*

Sidewalk, Curb and Gutter shall be installed across the frontage of 38th Street. This was identified in the Public Works memo.

Response: *The project exhibits have been updated to show curb, gutter and along with a 3-foot wide asphalt widening, 1-foot side concrete gutter, curbing, and a 5-foot side sidewalk will be proposed along the south side of 38th street along the project frontage as required and as discussed at the January 27th meeting with City staff. Furthermore the SEPA checklist will be updated to include this revision.*

GEOTECHNICAL REPORT (December 10, 2015)

Page 5, paragraph 2: Identify on-site well head locations.

Response: *None known of*

Page 5, paragraph 3: The hydrogeology in the immediate area has historically been known to have artesian conditions, namely multiple naturally occurring springs that produce both subsurface and surface runoff.

Response: *No artesian springs are known of on the site.*

Page 4, paragraph 4: It is obvious with regards to the scope of assessment.

Response: *Noted*

Page 8, paragraph 3: Given the knowledge of the area, it should be a requirement to utilize the construction geotextile fabric for separation.

Response: *The City requirement for use of geotextile fabric for this project we will note that on the civil plans, details and specifications that will be prepared for construction of this project, however updating of the Geotech report should not be necessary. The Geotechnical report is intended to give professional expertise to determine the necessity of fabric, however the City can require provisions beyond what is professionally recommended.*

Additionally, it should be required to install perforated pipe under the road to collect the ground water that can saturate the subgrade providing additional protection for the roadway.

Response: *The proposed perimeter ditching to intercept waters along the exterior of the site, and avoid them impacting lots or the onsite roadway to be constructed, therefore no need for a perforated pipe under the interior road as discussed at the January 27th meeting.*

PRELIMINARY DRAINAGE REPORT (December 10, 2015)

Project needs to submit a Large Parcel Storm Water Plan. This was identified in the Public Works memo.

Response: *A Large Parcel Storm Water Plan has been prepared and will be included with the submittal of civil plans for construction and the final drainage report as requested at the January 27th meeting with the City.*

This project is required to perform a downstream analysis to determine any downstream deficiencies.

Response: *At the January 27th meeting with City staff the City noted that they have no downstream deficiencies with the exception of the 38th and "M" intersection to the east of this project. Per the City upgrades at this intersection to install 12-inch diameter piping will remove any downstream drainage concerns and therefore the City will not require any onsite detention to be provided.*

Is the installation of the underground detention a cost thing? The Engineer of Record is set on doing underground detention rather than conveyance upgrades. The Public Works Department is not interested in acquiring another detention facility.

Response: *As previously noted a new drainage design has been prepared to remove the onsite detention as this is no longer a requirement of this project based on the direction provided by City engineering staff during the January 27th meeting.*

SHORT PLAT (December 14, 2015).

1. Sheet 2 of 2 was not part of the routed submittal.

Response: *Sheet 2 of 2 of the Short Plat Map is attached.*

2. Public Works project number is PW#16-010-DEV.

Response: *This has been added to all sheets. BOB*

3. Street name is "Baughn Lane"

Response: *The owner has provided us with a street name, "Dean Court".*

4. Show new monument installation, per the EDS Standards, Chapter 3, Section STR-25 Survey Monuments.

Response: *Monument installation is noted on Short Plat map sheet 1 of 2, #6 of the survey notes.*

5. Lot 4 to access off of the new road. Address shall be the same.

Response: *Lot 4 is accessed off the new interior road as requested.*

6. Show the 7.5' easement referenced in AF#201502060053 and existing driveway.

EXHIBIT #2

NOTICE OF APPLICATION WITH OPTIONAL SEPA DNS:



NOTICE OF APPLICATION WITH OPTIONAL SEPA DNS:

Notice is hereby given that an application was made for the following proposal:

Request: The applicant has applied for a short plat to create nine (9) lots from the subject properties which are 1.96 ± acres total in area. The project site is located in R2 Zoning District. The two existing residences located onsite will remain.

Applicant: Tom Allen, PO Box 817, Anacortes, WA 98221

File Number: SPL-2015-0006

Project Location: The site addresses are 1411, 1415, & 1417 38th Street, Anacortes, Washington. The project site is located on the south side of 38th Street approximately 470 feet west of "M" Avenue. The subject parcels involved are: P32055, P32056, & P32057.

Date of Application: December 24, 2015

Date of Completeness: March 16, 2016

Public Comment Period: Submit written comments to the contact listed below by **March 31, 2016, at 5:00 PM.**

Required Project Permits/Approvals: The following may be required: Preliminary and final short plat approval, construction plans, building permits, and NPDES permit.

Existing Environmental Documents: SEPA environmental checklist, Geotechnical & Infiltration Assessment, & Tree Preservation Plan

SEPA Review: Based on the submitted application and available information, the City anticipates issuing an Mitigated Determination of Non-Significance (MDNS) for this proposal and the optional DNS process as specified in WAC 197-11-355 is being utilized. Consequently, this may be the only opportunity to comment on the environmental impacts of this proposal. This proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the subsequent SEPA threshold determination for the proposal may be obtained upon request.

Open Record Public Hearing: N/A

Preliminary Determination of Consistency: At this time, no determination of consistency with City of Anacortes plans, regulations, or standards has been made. At a minimum, this project will be subject to the following plans and regulations: Anacortes Comprehensive Plan; Municipal Code (Zoning, Subdivision, etc.), Engineering Design Standards.

How to become a party of record: You may become a party of record by submitting written comments, including a (USPS) mailing address, to the City of Anacortes PCED at the address listed below. E-mailed comments must include a return (USPS) mailing address in order for the sender to be considered a party of record. Questions about this proposal, requests to receive future notices and/or the decision, once made, and/or appeal procedures should be directed to the contact person listed below. The application and complete case file are available for review at the City of Anacortes PCED located at 904 6th Street, Anacortes, WA 98221. A decision on this application will be made within 120 days from the date of completeness.

For Project Information: Kevin Cricchio, AICP, Associate Planner; (360) 630-6270; kevinc@cityofanacortes.org, and Kate Nelson, Associate Planner; (360) 299-1969; kaitlynn@cityofanacortes.org; City of Anacortes, P.O. Box 547, Anacortes, WA 98221

Published March 16, 2016

Date Issued: March 16, 2016

EXHIBIT #3

PUBLIC COMMENTS RECEIVED:

3/31/2016



To: City of Anacortes

RE: 38th St. Short cul-de-sac

From: Andy Pitz

I have a number of concerns about this development. 38th St. is a substandard street that has no sidewalks, except for one short stretch where 38th St. connects with M Ave. This street has not been paved to what is its designated width. Any parking that is done on this street means that the cars are literally parking in the driving lane. Due to there being access to Ace of Hearts creek park at the end of 38th St., there is a lot of foot traffic of elderly people, people with dogs, and small children. This is a serious safety issue that needs to be addressed

The short plat copy I have from the city, shows the roadway into the development as being longer than what is allowed by city building code 160.23.020.

The drainage plan is inadequate for this development. The soil is only 18" deep in this area, and underneath that is clay. The drainage that now exists is along 38th St. cannot handle any significant rain events and this will development will only make it worse.

The plat map shows lot #2 as having a driveway that crosses lot 3. This driveway will come out directly adjacent to K Ave. Which will present another safety hazard.

Nowhere does this plat address what will happen to K Ave. K Ave is another seriously sub standard street that will back 3 of these lots. These houses will use K ave to access the back of these lots.

I also believe a traffic study should be done concerning this project. This development will add a large number of traffic on to a sub standard street.

Please consider to me to be a person of record concerning this project.

I can be reached at 293-4169 for nay questions.

Thank you

Andy Pitz

3815 J ave

Anacortes Wa

March 17, 2016

Attn: Kevin Cricchio
Kate Nelson

I just received a notice in the mail stating that a Tom Allen has applied for a short plat to create nine (9) lots from properties that are 1.96 acres in total.

I have owned property on Broadview Drive since 1965 and have enjoyed the peaceful, safe neighborhood. The notice of this man wanting to build nine (9) structures behind my property is very disturbing. This would involve more noise traffic, fire engines not able to adequately protect all structures because of lack of space. Also the taxes would be raised.

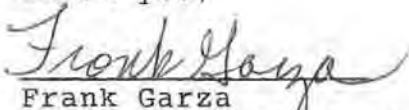
I cannot imagine you considering allowing this proposal to go through. I am totally against any such permission given to this person to build.

Does the neighborhood have any voice in this situation? We do not approve of this project. It would be interesting to see if the people who live there and do object to this proposal have any right. Will the planners for the city of Anacortes listen!

I would appreciate receiving further notices/ and the decision once it has been made. If there are meetings on this matter I would like to be informed at least 48 hours ahead to be able to attend.

My phone number is 206-790-6498.

Thank you,



Frank Garza
Garza Revocable Living Trust
PO Box 697
Edmonds, Wa. 98020

From: [Guy Masters](#)
To: [Cricchio, Kevin](#); [Nelson, Kaitlynn](#)
Subject: File # SPL-2015-0006 comments
Date: Monday, March 21, 2016 5:11:34 PM

City of Anacortes PCED,

We would like to become a party of record regarding the proposal to modify parcels P32055, P32056 and P32057 (file number SPL-2015-0006).

We own the home at 1414 38th street (directly across from these parcels).

My understanding of this application is that the three existing parcels would be divided into nine lots, with nine houses (instead of three), and a new cul-de-sac (that would line up with our existing driveway).

This would be a major change that we feel would negatively impact existing residents. Those of us who already purchased lots on this street did so in part because of the parcel sizes. The low traffic volume and noise levels that accompany larger parcel sizes improves quality of life and we paid more for our properties because of it. This change would effect many of those qualities, resulting in a drop in our property values. This is unfair to those of use who invested in this neighborhood based on the existing map.

Secondly, we are worried about a new relatively high volume street lining up with my house. With nine homes utilizing it, there could be eighteen cars entering and exiting 38th street via this new street, all of which would be turning directly in front of our home. This is a noise and safety issue that would directly impact my family. It also effects parking, as it will result in multiple cars being parked in front of my house (it is unlikely that 18 cars will fit in the space shown on the proposed plot plan).

My family has grown to love the pace and tranquility of our neighborhood and fear that these qualities will be forever lost with this change. I ask that my comments be considered and that I be given a chance to comment further as decisions are made.

Thank you for your consideration,

Guy Masters & Family
(Ruth, Caroline and April Masters)

1414 38th St.
Anacortes, WA
98221
(360) 333-7892

March 29, 2016

City of Anacortes PCED
904 6th Street
PO Box 547
Anacortes, WA 98221



Attention: Kevin Cricchio, Kate Nelson

RE: Tom Allen Project on 38th Street
File Number: SPL-2015-0006
Located at 1411, 1415, and 1417 38th Street, Anacortes, Washington
Parcels involved are P32055, P32056, and P32057

9 houses on the 3 lots are too many. This makes the area very high density. 2 houses per the old lots would be much better.

My wife and I bought our lot at 1502 38th Street (Parcel #P32098) in 1966 approximately, and built our present home. We bought in this area because of the large lots and dead-end street for the privacy. We later bought the lot (Parcel #P32099) to the east of us. Our two lots are directly across from the two lots at the west end of the development.

38th Street is a sub-standard street, but is adequate for the amount of vehicles that are here now.

It doesn't look like people will be able to park on the cul-de-sac and this would push visitors cars out on 38th Street where there is no room for parking.

Drain water which runs into a ditch on the south side of the street overflows onto 38th Street sometimes during hard rains. I therefore think it would be smart to run all the water into a pipe starting at K Avenue and 38th Street that runs down to M Avenue to be able to take care of the water from the development run-off.

K Avenue will need to be paved or a good gravel base put down for the vehicles that are coming from the new development to prevent the mud and dust that comes from the alley (K Avenue).

Houses need to conform to all the setbacks that come along with R-2 Zone, and no re-adjusting them to help the developer. He needs to follow the rules set for the zone.

38th Street needs to be kept clean during construction of houses and streets.

After any cutting into 38th Street for any utilities work, the street needs to be put back into original or better condition.

Please include us as a party of record. Thank you for your consideration of our concerns about this proposed development.

Iver & Cheryl Johnson

1502 38th Street
Anacortes, WA 98221-3505
360-293-6589

From: [Chapman, Jan](#)
To: [Cricchio, Kevin](#); [Nelson, Kaitlynn](#)
Subject: 38th Street Short Plat
Date: Sunday, March 27, 2016 4:47:29 PM

Regarding the Tom Allen Short Plat Application SPL-2015-0006.

Nine homes seems excessive for this neighborhood. To quote Tom Allen when I asked about his plans, "4 or 5 homes, it will be done tastefully" and I concurred that 4 homes would be good, I'm not averse to growth.

I would like to see copies of the existing environmental documents. Can I find them online?

My concerns are

- storm water management
- pedestrian traffic
- future use of K Avenue
- proposed garage and access to existing home at 1417 38th
- invasive lighting

I would ask to be updated on progress, and to be included as a party of record.

Thank you,
Janice Chapman
Physical Address 1501 38th Street
Mailing Address 1004 Commercial Ave #1108
Anacortes, WA 98221

3/31/16



To: City of Anacortes

Re: 38th Street Short Plat

From: Joan Pitz 3815 J Ave. Anacortes 360-293-4169

My concern is with the lack of any street improvement plans for K Ave.

A few facts: K Ave. is one block long before it dead ends. It is a very narrow, 90% grass with 10% dirt. It is currently used by 3 other households to access their property. It cannot be used year round because of water issues effecting accessibility by car. (Mud)

This development would increase the number of households bordering the entire length of K Ave. by 4. This will make a total of 7 households using this dirt road to access their property.

This street will not support the added traffic and parking as it exists now.

The 38th Street Short Plat development plan should not be approved without including a complete plan for improving K Ave.

Nelson, Kaitlynn

From: Luke Stanage <lukestanage@gmail.com>
Sent: Thursday, March 31, 2016 4:16 PM
To: Cricchio, Kevin; Nelson, Kaitlynn
Subject: 38th Street Short Plat

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Kevin and Kate,

I am emailing you comments that I would like to make regarding the 38th street short plat proposed by Developer Tom Allen.

My name is Luke Stanage and my address is 1401 38th street, Anacortes, WA, 98221.

The proposed lots 5, 6, and 7 will be adjacent to my lot and I would like to make two requests as a result.

- 1: That the developer constructs fences along the perimeters of these adjacent lots.
- 2: That the developer does not drain any house run-off or other water related irrigation into, onto, or towards my property.

Thanks for taking your time to read this. I appreciate any updates you have regarding my requests.

Take Care,

Luke Stanage

Nelson, Kaitlynn

From: PATRICK O'HEARN <fishbro@msn.com>
Sent: Thursday, March 31, 2016 11:27 AM
To: Nelson, Kaitlynn
Cc: Measamer, Don
Subject: SPL-2015-0006

Hello Kaitlynn,
Please add me as a party of record to SPL-2015-0006 Allen Short Plat 38th St.
My physical address is as follows:

Patrick O'Hearn
11039 Post Drive
Anacortes, Wa 98221

Thank you
Patrick O'Hearn

March 30, 2016

City of Anacortes
PCED PO Box 547
Anacortes, WA 98221

Dear Mr. Cricchio and Ms. Nelson,

I request to be a party of record for the Short Plat Application #SPL-2015-0006. I have several concerns about this proposal.

1. The time you have given neighbors to comment on this is too short. The sign on the property and the letter mailed from your department were not available until the middle of March, and the comment period ends March 31. This does not even give a 30 day notice to review documents, do research and write up comments. The plat map is so small, even on the sign, that one is not able to decipher what is planned. Two weeks is insufficient time to get to City Hall to be able to look at SEPA documents.
2. This plat does not fit into the existing neighborhood at the proposed density. The seven lots that will depend on cul-de-sac access will need more room for vehicles to park. The connecting road, 38th St. cannot handle parking as it is not wide enough. 38th St. would need to be widened for parking. Also, there is not enough room for emergency vehicles to respond and maneuver in the cul-de-sac.
3. There needs to be a more detailed environmental study and mitigation proposed. The Department of Ecology should give advice on how to filter run off from this extensive impermeable surface. This area of 38th St. already is subject to water issues. The houses built a few lots to the north side were supposed to connect their drain water to an established storm system, according to the plan shown at a public hearing and approved by Planning. The developer did not fulfill his obligation to the project as it was written, and now all that water is pumped into the ditch on the south side of 38th St. To have even more surface water collected off pavement will overwhelm capacity. It is not acceptable to have this volume of surface water diverted directly into storm drains and into the bay without first being filtered through a swale. One or two of the proposed lots should be converted to a biological control of surface water to protect the ecosystem of Fidalgo Bay.

Thank you for considering these concerns.

Sara Holahan

1511 38th St.
Anacortes, WA 98221

From: [Sean Kelly](#)
To: [Cricchio, Kevin](#); [Nelson, Kaitlynn](#)
Subject: Tom Allen Short Plat Application SPL-2015-0006
Date: Wednesday, March 30, 2016 10:26:09 AM

Regarding the Tom Allen Short Plat Application SPL-2015-0006:

Please include me as a party of record in this matter. Also please update me on progress.

My mailing address:

Sean Kelly
1004 Commercial #1108
Anacortes, WA 98221

My physical address:

1501 38th Street
Anacortes, WA 98221

I have concerns regarding, but not limited to tree preservation and stormwater management.

Best regards,

Sean Kelly
360-770-2806

Nelson, Kaitlynn

From: Shawn Bell <sbell1365@mysvc.skagit.edu>
Sent: Thursday, March 31, 2016 5:43 PM
To: Cricchio, Kevin
Subject: comment on Tom Allen 9-lot short plat

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

I would like to express my concerns on the development proposal by Tom Allen "38th street short plat". The proposal was much too small to decipher, however the hillside on which the developer is proposing to increase impervious surfaces is very wet. Recent developments have not adequately addressed the drainage problems associated with increased impervious surfaces. I would like the Department of Ecology to review this development proposal before your approval. I will notify them of my concerns.

Shawn Bell
1511 38th street
Anacortes, WA 98221

COMMENT

SHORT PLAT APPLICATION

38TH STREET 470 FEET WEST OF M AVE.

SPL-2015-0006

3/31/2016

By

Vernon Lauridsen

2219 32nd street

Anacortes, WA 98221

Vclauridsen47@yahoo.com

360 333-0564

1. The application violates the AMC provisions governing “short cul-de-sac” in that it represents a public road more than 150’ and serves or will serve more than six residential building sites.
2. The application relies upon or proposes to apply density rules that do not currently exist violating the six lot maximum for a “short cul-de-sac.” Applicant proposes an eventual total of nine (9) lots.
3. No provision for sidewalks on 38th Street creating a risk of harm to children using nearby parks and baseball fields. AMC 16.32.020.
4. Inadequate geotechnical review.
5. Such other defects and violations as may be determined.

Ravnik & Associates, Inc.

CIVIL ENGINEERING & LAND-USE PLANNING

April 12, 2016

Mr. Don Measmer, Planning Director
City of Anacortes
P.O. Box 547
Anacortes, WA 98221

Re: Tom Allen 9-Lot Short Plat, SPL-2015-0006
Applicant's Response to Public Comments

Dear Mr. Measmer:

Thank you for providing me a copy of the public comments received by the City of Anacortes Planning Department relative to Short Plat SPL-2015-0006. Responses are provided herein to assist you and the Planning Commission to assure conformance of the proposed subdivision to the general purposes of the comprehensive plan and to planning standards and specifications as adopted by the City of Anacortes. For reference, the comments provided to me were from the following individuals:

Andy Pitz email dated March 31, 2016
Frank Garza letter dated March 17, 2016
Guy Masters email dated March 21, 2016
Cheryl Johnson letter dated March 29, 2016
Janice Chapman email dated March 27, 2016
Joan Pitz letter dated March 31, 2016
Luke Stanage email dated March 31, 2016
Sara Holahan letter dated March 30, 2016
Sean Kelly email dated March 30, 2016
Shawn Bell email dated March 31, 2016

In my review of these public comments, there was quite a bit of duplication. As such, I have prepared the following list of concerning subjects, to which I have provided a response for each.

1. 38th Street is substandard and does not have sidewalks

Response: Across this project's frontage, 38th Street has an existing asphalt width of 24 – 25 feet which clearly provides for two 12' wide travel lanes. As shown on the accompanying aerial photograph, this road width exists from the west side of M Avenue westerly approximately 1,100' to the end of 38th Street. Across this project's frontage, this paving width does not parallel the right of way centerline. Presently, there is 6 – 12 feet of paving north from the right of way centerline and the remainder south. The Anacortes Engineering Department considered whether the road should be widened following its current alignment or following the right of way centerline. As directed by the Engineering Department, this project is to widen the south side of 38th Street to provide an overall road-width of 28 feet, paralleling the existing road's alignment. Because of the varying paving width and alignment, the resulting full-width of driving surface will be 28 – 29 feet.

Although 38th Street is not posted NO PARKING, most of the adjoining property owners west of M Avenue do not park along either side of 38th Street. Per the City's Engineering Department, the City's requirement to widen the south side can provide a location where the neighborhood has more space for on-street parking.

Along the south side of 38th Street widening, fronting this project, a five-foot-wide concrete sidewalk is to be constructed adjacent to the proposed back of curb. The City recognizes this section of 38th Street dead-ends to the west, and that for many years, kids have walked along the edge of road to the existing sidewalk facilities at M Avenue. Presently along the south side of 38th Street, sidewalk exists to approximately 110' west of M Avenue. As adjacent properties are subdivided, they too will be required to widen the road and provide curb, gutter, and sidewalk, eventually having a completed link of sidewalks along one side of 38th Street east to sidewalks along M Avenue. Along M Avenue south from 38th Street, there are sidewalks leading to Mt. Erie Elementary School.

2. Vehicles parked on the street will encroach into the driveline.

Response: Commonly, a 28-foot-wide road is considered sufficient to accommodate two travel lanes and parking on one side. At this project location, the Anacortes Engineering Department feels that the proposed road widening can support on-street parking along the southerly side of 38th Street.

Within the individual development of each lot, as per AMC 16.32.020(D) "Two off-street parking spaces shall be provided for each dwelling unit in addition to garages."

3. Safety of Pedestrian traffic

Response: Please refer to the response provided with #1.

4. Excessive length of short plat road

Response: AMC 16.32.020 identifies a short cul-de-sac road as being "A public road not more than one hundred fifty feet in length and serving not more than six residential building sites, and with no reasonable possibility of extension can be built to the following standards:

- A. Road width not less than twenty-four feet curb to curb with a minimum eighty-foot diameter cul-de-sac;
- B. Asphalt to be contained by a curb not less than six inches in width with five-foot sidewalks each side;
- C. The right-of-way width shall be not less than twenty-five feet in width, plus the necessary right-of-way for the cul-de-sac;
- D. Two off-street parking spaces shall be provided for each dwelling unit in addition to garages;
- E. Provide one interior street light, as directed by the public works director;
- F. Provide storm drainage, as required by current city ordinances;
- G. Fire protection shall be provided, as required by the fire chief;
- H. Water and sewer utilities shall be designed and built to public works' design requirements and shall be public;
- I. Provision shall be made for franchise utilities as needed.

During the design stages of this project, the Anacortes Engineering Department was consulted on this matter and did confirm that the 150-foot maximum road length associated with a "short cul-de-sac" road is simply the length of road measured from the existing edge of asphalt to the beginning of the cul-de-sac. For this project, it is the distance from the south edge of 38th Street asphalt southerly to the circle representing the cul-de-sac. As noted on civil sheet 3 of 4, this distance is 140 feet.

5. Inadequate drainage plan

Response: The Anacortes Engineering Department was initially consulted as to drainage concerns in the vicinity of this project. It was recognized that the existing drainage facilities along the abutting portion of 38th Street convey runoff waters east to the drainage facilities in M Avenue. The existing drainage facilities along the abutting portion of 38th Street, and downhill east to M Avenue, need to be enlarged to accommodate the current runoff conditions and also need to be enlarged to convey the quantity of developed runoff from this project. In lieu of providing onsite detention and not upgrading the existing drainage-conveyance facilities in 38th Street to M Avenue, the Engineering staff directed this project to upgrade the drainage facilities across this project's frontage and everything east to the existing drainage system in M Avenue.

Presently, along this project's frontage on 38th Street and east to M Avenue, the drainage-conveyance facilities comprise open ditch, 6" and 8" diameter driveway culverts, and 6" and 8" diameter conveyance piping to 24" diameter storm water conveyance piping in M Avenue.

As noted on civil sheet 4 of 4 within the short plat application, all driveway culverts and existing piping east to M Avenue will be removed and replaced with 12" diameter storm pipe and roadside drainage swales will be cleaned out and regraded to promote efficient flow.

Within the short plat submittal package for this project, a drainage analysis report was provided. Within this report, and using City drainage basin maps, analysis is provided for the quantity of 25-year runoff getting to the intersection of 38th Street and M Avenue. The conveyance capacity of the new 12" diameter storm pipes installed at a minimum slope of 2.75% is essentially the same estimated runoff rate. Summarizing, the City has directed this project to improve the drainage conveyance facilities in 38th Street across this project's frontage and continuing east to M Avenue. With the man-made upgrades to storm pipes in 38th Street, and in light of the available conveyance capacity in the City's man-made drainage system in M Avenue to its eventual outfall into Fidalgo Bay as an exempt water body, this project is technically exempt from providing detention.

In regards to the treatment of runoff waters from this project's impervious surfaces, a grass-lined biofiltration swale has been designed along the north side of this project, east from this project's short plat road. The DOE criteria for maximum flow-depth, flow velocity, and residence time have been provided. This provides a facility that can simply be managed by keeping it clean and mowed.

6. Lack of 38th Street drainage facilities to manage significant rainfall events

Response: Please refer to the response provided to #5.

7. K Avenue is substandard adjacent to three short plat lots that will use K Avenue

Response: The K Avenue right of way is 24.3 feet wide as noted on the civil plans. In as much as there are three proposed lots abutting K Avenue, only Lot 2 is proposed to utilize K Avenue for garage access. In consultation with the City Engineering Department, the City's improvement cross section for K Avenue comprises a 3" depth of crushed surfacing top course over a 6" depth of gravel, 20' wide. The existing drive surface in K Avenue has been residentially used for many years, and as such, likely has some form of existing granular foundation. Rather than digging out a perfectly good foundation, the depth of existing granular structure will be examined within the north 110 feet of K Avenue. If the existing granular foundation is found to be in good condition, it will be left in place and surfaced with crushed surfacing top course to create a section equivalent to the City's 3" crushed top course over 6" gravel foundation. This improvement will only be performed within the north 110' of K Avenue for a width of 20 feet.

8. Large quantity of added traffic

Response: As common with other communities, the peak hour of travel is analyzed as being a one-hour period some time between 4 pm and 6 pm. This project consists of three parcels encompassing nearly two acres, with each lot recognized as having or previously having one residence. As such, for this project, only six new homes are being created. A single family residence is classified as generating 1 peak hour trip during the peak hour period. The addition of six additional peak hour trips on this dead-end portion of 38th Street is not considered to be impactful to the neighborhood or the surrounding road network. With this section of 38th Street only being 1,100' long, and not having any major undeveloped right of ways at its west end for further extension, there simply cannot be a large quantity of traffic generated by this project.

9. Insufficient space for fire trucks to turn around in cul-de-sac

Response: The City requires an 80' diameter paved surface for this cul-de-sac, which has been provided as noted on the submitted civil plans. The perimeter edge of the cul-de-sac contains a rolled concrete curb adjoined by a 5' wide concrete sidewalk. The rolled curb around the cul-de-sac facilitates accesses to the adjoining 5 lots served. In order to withstand vehicle loads, the perimeter sidewalk is 6" thick rather than the traditional 4". Although the City does not recognize the adjoining sidewalk as part of the space provided for maneuvering emergency vehicles, it will be available. Technically, this cul-de-sac provides a 92' diameter surface available for fire trucks to turn around.

10. Increase in property taxes

Response: I would rather have this project bring value to the neighborhood than degrade the area.

11. Short plat road aligned across from residential driveway

Response: The north-bound travel lane of this short plat's road is essentially in the same location as an existing, onsite, paved driveway that will be removed. This alignment is directly across from a residential driveway. From a traffic perspective, sources of vehicles entering both sides of a road are best coordinated when they are aligned rather than being offset. It is very likely there will be the occasional instance during a normal week when there is a vehicle exiting the driveway from the north side of 38th Street simultaneous with a vehicle exiting this short plat.

12. Negative impacts to existing residents due to smaller parcels and reduced property values.

Response: The proposed improvements will not degrade the neighborhood. The proposed lot sizes conform to the City's R-2 standards requiring a minimum lot size of 7,500 square feet. Based on a review of Skagit County's Assessor's map for surrounding neighborhoods, many lots have been created having approximately 7,500 square feet.

13. Multiple cars parked on 38th Street

Response: Please refer to the response for #1.

14. Too high of density

Response: Density calculations are provided on civil sheet 1 provided with this application. For this project, the permissible density is calculated using all of the subject property and one-half of the abutting rights of ways. The lot sizes and project density do conform to the City's R-2 standards.

15. Storm water management

Response: Please refer to the response provided with #5

16. Future uses of K Avenue

Response: Other than the proposed garage access to Lot 2 from K Avenue, this project does not propose any other lots to utilize K Avenue.

17. Proposed garage and access to existing home at 1417 38th Street

Response: Please refer to the response provided with #7.

18. No room for parking on 38th Street

Response: Please refer to the response provided with #1.

19. Ditch-conveyed runoff waters overflowing 38th Street

Response: Please refer to the response for #5.

20. R-2 Building-setback compliance

Response: Within this project, all front-yard and rear-yard setbacks will be applied and upon all lots, the sum of the two side-yard setbacks being not less than 15' will be provided.

21. 38th Street cleanliness during construction

Response: When final civil construction plans are prepared, they will incorporate erosion and sediment control requirements which will include quarry spall construction access roads to be maintained and street maintenance.

22. Satisfactory repair of 38th Street at utility installations

Response: Utility trench sections in 38th Street will conform to the City's standards. Compaction testing of gravel trench backfill will be performed to substantiate the contractor's work before the trench is paved.

23. Lack of K Avenue improvement plan

Response: Please refer to the response provided with #7.

24. Construct perimeter fences along lots 5, 6, & 7 to serve 1401 38th Street

Response: The subject property at 1401 38th Street only abuts the east side of proposed lots 6 & 7. Along the west-most property line of 1401 38th, as surveyed, there presently exists a fence generally located on the property line. This fence is thought to be a mix of board and wire fencing. At the time of developing this short plat's infrastructure, no perimeter fencing is proposed around any lot. At such time as each lot is individually developed, this provides an opportunity for neighbors to collaborate regarding their shared expenses of a mutually beneficial fence.

25. No runoff waters onto 1401 38th Street

Response: Proposed Lots 6 and 7 abut the west property line of the residence located at 1401 38th Street. As noted on civil sheet 3 of 4 within the submitted application packet, Lots 6 & 7 are each provided a 4" storm service to receive roof and driveway runoff waters. Along the east property line of Lots 6 & 7 common to 1401 38th Street, a 6" diameter perforated pipe within a rock-filled trench will be installed which will intercept surface runoff waters and convey them northerly to the drainage facilities in 38th Street.

26. Seven lots accessing cul-de-sac need more parking

Response: Six lots are proposed with direct access to the cul-de-sac and its associated short road as represented on the civil plans. A maximum of 6 lots are allowed to access the cul-de-sac when utilizing the City's short cul-de-sac standard, as per AMC 16.32.020 contained in the response to #4. With each lot development, two off-street parking spaces shall be provided for each dwelling unit in addition to garages

27. Treatment of Runoff waters from Impervious surfaces

Response: Please refer to the response provided with #5

28. Tree preservation

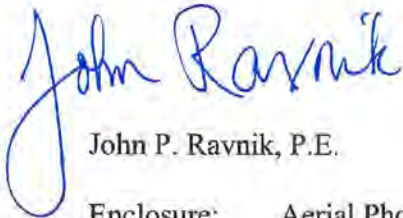
Response: The applicant has conformed with the City's Tree Preservation requirements as further described by the Tree Assessment and Tree Preservation plan prepared by Urban Forestry Services, which was included in the short plat application packet provided to the City.

29. DOE review development

Response: The City Engineering Department has the right of requiring modifications to DOE drainage requirements when it is in the best interest of the City. With this project, the City felt that drainage conveyance improvements in this section of 38th Street were needed more than having this project provide the conventional detention requirements and ignore the needs of the adjacent downstream neighborhood.

Thank you very much for providing me these comments. If you or the public have any questions, please do not hesitate to contact me.

Sincerely yours,



John P. Ravnik, P.E.

Enclosure: Aerial Photo Exhibit

PC: Mr. Tom Allen



Johnson
1502 38th

Masters
1414 38th

Holahan
1511 38th

Chapman
1501 38th

Stanage
1401 38th

Pitz
3815 J

J Avenue

38th Street

M Avenue

Broadview Drive

EXHIBIT #4

AGENCY & DEPARTMENT COMMENTS RECEIVED:

To: Kevin
Planning



Development Review Group (DRG)

Name of Applicant: Tom Allen

Brief Description: 38th Street 9 Lot Short Plat, SPL-2015-0006

Please initial if approved and/or include your comments:

Street Department: B.L.

Comments:

OK,

Water Department: TSW

Comments:

ok

Solid Waste: mk

Comments:

Culdesac should allow enough room for Solid Waste & recycling trucks to turn around.

Sandi Andersen: SA

Comments:

PW Conditions PW#16-010-DEV:

Paperwork:

1. Project shall meet the requirement of the Short Cul-de-Sac Design as outlined in the Anacortes Municipal Code 16.32.020, including the not more than one hundred and fifty feet in length.
2. A clearing and grading plan consistent with City requirements shall be submitted by the applicant for review and approval by the City of Anacortes Planning\Building and Public Works Departments prior to any construction activities taking place on or off-site.
3. A Large Parcel Storm Water Plan and Water Quality Control Plan consistent with City requirements shall be submitted by the applicant for review and approval by the Planning\Building and Public Works Departments prior to any construction activities taking place on or off-site.
4. Construction activities may require an NPDES Construction Storm Water Discharge Permit issued by the Department of Ecology prior to any construction activities taking place on or off-site.
5. Any encroachments into the easements by the adjacent properties shall be required to apply for an encroachment agreement (AMC – 12.30) from the City of Anacortes Public Works Department.
6. All Public structures shall have vehicular access, including but not limited to: 1) A 12-foot minimum width access road (STR-12) with an approved all-weather surface asphalt road, or other approved Low Impact Development Best Management Practice design, 2) Meeting the minimum structural requirements (STR-15.2) for Access Road approved by the City of Anacortes.
7. Prior to any clearing\fill\grade work beginning, construction civil plans consistent with the City of Anacortes Engineering Development Standards, including but not limited to, Clearing and Grading Plan, Erosion Control Plan, Site utility\Infrastructure improvements Plan, Roadway Improvements Plan, Signage Plan, Street Lighting Plan and other plans and/or information required by the City Planning\Building and Public Works Departments shall be submitted for review and approval.
8. Street lighting is be required (AMC 16.20.060). Street lighting shall be LED and shall limit glare and/or emission of light downward to the street and front yard areas. Street lighting will be installed per PSE Schedule 53, Option “B”. Lighting fixtures and design shall be approved by the Public Works Director. Shields may be necessary to reduce impacts to adjacent properties.
9. Mailbox locations shall be reviewed and approved by the City of Anacortes Public Works Department and the U.S. Postal Service.
10. Sanitation, recycling and compost collection will be at curb side of each parcel serviced.

11. Utilities, as identified in Anacortes Municipal Code 16.20.080 are required to be extended and to serve the development.
12. Engineering and Inspection fees in the amount of \$500.00, plus 2% of the total estimated construction cost shall be due upon civil plan approval. No construction activity is allowed until the construction plans are approved, all fees have been paid and a preconstruction conference held.
13. Prior to the final plat approval, all infrastructure improvements shall be completed as required by the City of Anacortes Public Works Director and a 2-year Maintenance Bond in place. The 2-year Maintenance Bond is 10% of the actual construction cost.

Storm Drainage:

14. Storm water conveyance both on-site and off-site shall comply with City Storm drainage requirements.
15. The developer shall provide suitable drainage facilities for any surface run-off affecting the subdivision, per Anacortes Municipal Code 16.20.070.

Site-Frontage:

16. Street improvement requirements along 38th Street shall be constructed along the frontage of 38th Street, to include curb\gutter and sidewalk and roadway widening and storm drainage work. The improvements shall terminate where reasonable and practicable to provide a smooth transition with existing improvements both laterally across the street and longitudinally up and down the street for drainage, vehicular and pedestrian traffic.
17. Any access from any lots within this subdivision onto K Avenue, will be required to construct K Avenue to meet City of Anacortes improvements requirements outlined in the Anacortes Municipal Code 16.32.

Cricchio, Kevin

From: Jackie Ferry <jferry@samishtribe.nsn.us>
Sent: Wednesday, March 23, 2016 1:34 PM
To: Cricchio, Kevin
Subject: RE: SPL-2015-0006, 38th Street 9 Lot Short Plat

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Kevin,

At this time, we have no cultural resources concerns with this project. Also, if there is future ground-disturbance planned, although there have been no cultural resources survey or professional historic structures assessments, the project area is considered an area of moderate (survey recommended) to moderate-low risk (survey contingent upon project parameters) of encountering subsurface cultural resources according to DAHP's predictive model.

Thanks,

Jackie

Jackie Ferry | Cultural Director and Tribal Historic Preservation Officer - Samish Indian Nation
2918 Commercial Ave | Anacortes, WA 98221-2738 | Monday - Thursday
Office: 360.293.6404 ext. 126 | Fax: 360.299.0790 | E-mail: jferry@samishtribe.nsn.us

From: Cricchio, Kevin [mailto:kevinc@cityofanacortes.org]
Sent: Monday, March 14, 2016 12:20 PM
To: 'stormer@wsdot.wa.gov'; 'glasowr@wsdot.wa.gov'; 'Clark, Dennis (DNR)'; 'Doug.Thompson@dfw.wa.gov'; 'TeamMillCreek@dfw.wa.gov'; Kaehler, Gretchen (DAHP); 'sepa@dahp.wa.gov'; 'brandonb@co.skagit.wa.us'; 'dalep@co.skagit.wa.us'; 'ddigges@skagittransit.org'; 'colleen_stinson@fws.gov'; 'Miller, Mark'; 'Ronald.j.wilcox@usace.army.mil'; 'lcampbell@swinomish.nsn.us'; 'thyatt@skagitcoop.org'; Todd Woodard; Jackie Ferry; 'sschuyler@UPPERSKAGIT.com'; 'masmundson@nwcleanair.org'; 'vwellington@asd103.org'; 'elizabeth.bartlett@pse.com'
Cc: Development Review Group
Subject: SPL-2015-0006, 38th Street 9 Lot Short Plat

3-14-16

RE: SPL-2015-0006, 38th Street 9 Lot Short Plat

Good afternoon everyone. Attached hereto is a comment form, notice of application using optional SEPA DNS, application material, and site plan(s) associated with a proposed 9 lot short plat off of 38th Street here in Anacortes, WA. Please provide any comments /requirements to me by 5:00 PM on March 31, 2015. Thanks.

Kevin Cricchio, AICP
Associate Planner

Department of Planning, Community, & Economic Development
City of Anacortes
(360) 630-6270

EXHIBIT #5

SITE PICTURES:

38TH STREET SHORT PLAT, SPL-2015-0006

SITE PHOTOS:







EXHIBIT #6

TREE PRESERVATION PLAN:



Urban Forestry Services, Inc.

Arboricultural Consulting | Wholesale Tree Nursery

Title: Allen - 38th Street 9 Lot Plat Project
Anacortes, Washington 98221
Tree Assessment and Tree Preservation Plan

Prepared for: Tom Allen
PO Box 817
Anacortes, WA 98221

Prepared by: Urban Forestry Services, Inc.
Mr. James M. Barborinas
Registered Consulting Arborist #356
ISA Certified Arborist #PN-0135
ISA Tree Risk Assessment Qualified

Date: February 25, 2016

CONTENTS

- Summary
- Introduction
- Method of Evaluation
- Findings
- Site Map with Tree Locations
- Tree Evaluation Matrix
- General Tree Protection Guidelines
- Critical Root Zone Explanation
- Assumptions and Limitations

Summary

Twenty-one out of a total of 58 significant trees, worth 98 Tree Unit Credits are planned for retention in the 85,439 square foot 9 Lot Plat on 38th Street by Tom Allen, in Anacortes, Washington. A minimum of 86 Tree Unit Credits are required on this site to meet the city tree preservation code without additional planting. If any of the 21 retained trees planned for retention need to be removed that would bring the total Tree Unit Credits below the minimum required, additional trees would be planted to meet the city's code. The attached General Tree Protection Guidelines should be followed during

15119 McLean Road
Mount Vernon, WA 98273

Office (360) 428-5810
Fax (360) 428-1822
Cell (360) 770-9921

construction. Our office should be retained for questions or onsite inspections when construction work on any lot significantly encroaches into Critical Root Zones of retained trees.

Tom Allen 38th Street 9 Lot Plat

Total Site Area = 85,439 sq. ft.

Total Tree Credit Required 1 Unit / 1,000 square feet. = 86 Tree Unit Credits

Trees Retained On Site = 21 trees worth 98 Tree Unit Credits

TOTAL TREE UNIT CREDITS RETAINED = 98

Introduction

Tom Allen is proposing to develop a 9 Lot Plat on 38th Street in Anacortes, Washington. Urban Forestry Services, Inc. was asked to assess and document the trees that may be retained on the site. The plat is approximately 85,439 square feet in size. The City of Anacortes Tree Preservation Code, 16.50, requires 1 Tree Unit Credit retained for every 1,000 square foot of area.

A total of 58 significant trees were considered for retention on the 38th Street 9 Lot Plat. Based on a proposed layout of lots and building sites, a total of 21 of the 58 trees were assessed for health and risk of failure and documented for retention. The retained trees are primarily along the edges of the proposed lots so they are more easily retained. Fortunately, most of these trees were in the best condition compared to those not selected for retention. See the attached site map for tree locations.

About half of the trees on the 9 Lot Plat are ornamental with the rest being native species. The most notable tree to retain is # 6, a Jeffery pine, *Pinus jeffreyi*. This tree is special



Photo 1. The 32 inch Jeffrey pine, tree #6, is an ornamental specimen and unique tree variety for the area. The location along the edge of the lot makes it more possible to be retained during development.

because of its large size as well as the very large pine cones on the tree, some measuring up to 10" long by 5" wide. One other notable tree on the site is tree # 12, a Pacific madrone, *Arbutus menziesii*. This is a native tree to the Pacific Northwest and is almost impossible to transplant. Therefore, when a Pacific madrone is well established, and in good condition, they are important to retain. In addition, this tree has a unique form with interesting character, allowing one to sit on the lower limbs of the tree, certainly worthy as a specimen tree for many, many years.

Larger trees are valued in city lots like this but are challenging to retain because of their wide spreading root system. However, following the attached General Tree Protection Guidelines, especially protecting roots and only disturbing the absolute minimum of the root system, allows larger tree retention in many cases.

Method of Evaluation

The methodology to evaluate these trees follows the criteria provided in the Tree Risk Assessment Qualification (TRAQ) training. TRAQ was developed, and is administered, by the International Society of Arboriculture (ISA) and follows the ISA's *Best Management Practices - Tree Risk Assessment publication*, and American National Standards Institute (ANSI) A300 (Part 9), *Tree, Shrub, and Other Woody Plant Management -*



Photo #2. The significantly large pine cones of the Jeffrey pine are one of the other unique characteristics of this large tree.



Photo 3. Tree #12, a Pacific madrone, a Pacific northwest native is a special tree for an urban lot. This one has a unique form as a worthy specimen.

Standard Practices (Tree Risk Assessment a. Tree Structure Assessment.)

The Tree Assessment Matrix that we provide in this report simplifies the reporting of our findings in laymen terms to increase the understanding of our recommendations.

The Level 2 Basic Tree Assessment is a detailed visual inspection of a tree and its surrounding site, and a synthesis of the information collected. It requires that a tree risk assessor walk completely around the tree, looking at the site, buttress roots, trunk, and branches. This basic assessment may include the use of simple tools to gain additional information about the tree or defects. Defects found in a level 2 Basic Tree Assessment may require a Level 3 assessment for further testing and analysis.

Tree condition is determined based on visual inspection of the above-ground portions of the trees. Of particular concern is trunk soundness, tree structure, bud fullness and color, twig length, crown ratio, density of leaves, evidence of disease-causing bacteria, fungi or virus, deadwood, and dead or broken hanging limbs.

While no one can predict with absolute certainty which trees will fail and which trees will remain healthy, by methodical process we can predict those most likely to fail by the conditions observed and take appropriate action to reduce or eliminate the potential hazard.

Findings and Recommendations

Twenty-one significant trees on the 38th Street 9 Lot Plat site are worthy in health and structure to retain, some more so than others. The 21 trees that are planned to be retained within the property are indicated on the attached site map. Detailed information on each of the trees is provided in the Tree Assessment Matrix.

Note: Twenty-three trees were originally documented onsite but after further review, two of the 23 trees were planned for removal because of poor condition. Therefore, 21 trees are planned for retention in this report.

Tree Retention to Meet City Code

The 38th Street 9 Lot Plat consists of 85,439 square feet. In accordance with the Anacortes Tree Preservation Code 16.50, the developer is required to have a minimum of **86 tree credits** for this development. Based on the tree retention proposed at this time, a total of 98 Tree Unit Credits are being retained. If any of the 21 retained trees planned for retention need to be removed that would bring the total Tree Unit Credits below the minimum required, additional trees would be planted to meet the City's code. This would be dealt with as the lots are being planned and developed.

Tree Protection

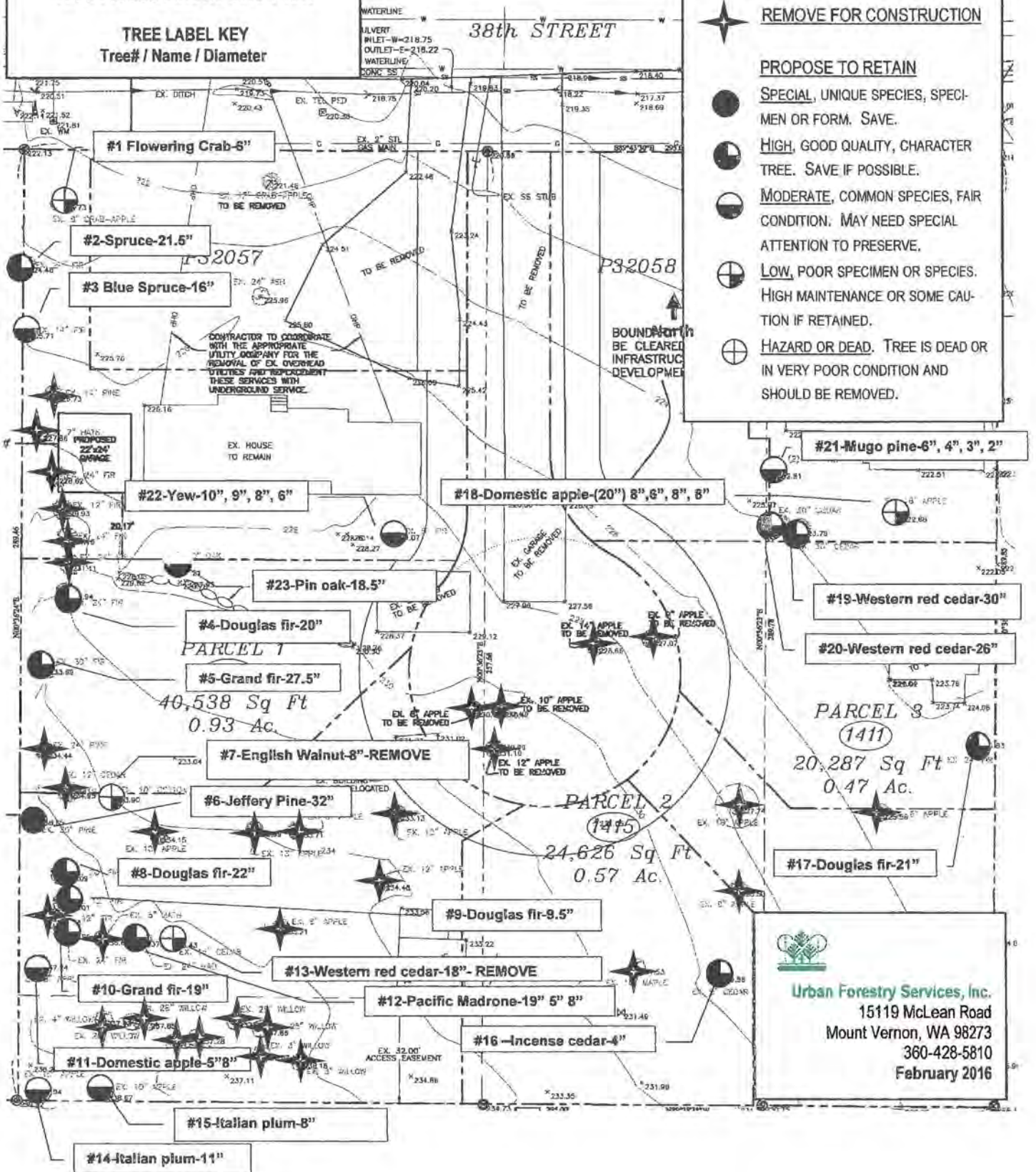
General Tree Protection Guidelines are attached to this report. They provide important instructions to protect retained trees during construction. They refer to the Critical Root Zone in many cases which is important to protect at all times. However, it is typical that work must occur within and all around the CRZ in many cases. The attached CRZ Explanation differentiates between the Perimeter CRZ and Interior CRZ. The Perimeter and Interior Critical Root Zone is indicated on the Tree Assessment Matrix for each tree. In most cases, some encroachment into the CRZ is acceptable and still allows tree retention if the contractor continues to follow the General Tree Protection Guidelines especially within the Interior CRZ. Refer to the CRZ Explanation for understanding the difference.

The contractor or owner should call our office whenever work must proceed within the CRZ. In many cases, we can answer questions over the phone or in some cases a site visit may be necessary. The owner may also want to consider having us periodically check the site for contract compliance to the tree protection standards.

Let me know if you have questions regarding this Tree Retention Plan.

Allen Plat-38th Street-Anacortes Tree Assessment Site Plan

TREE LABEL KEY
Tree# / Name / Diameter



Urban Forestry Services, Inc.
15119 McLean Road
Mount Vernon, WA 98273
360-428-5810
February 2016

Allen - 9 Lot Short Plat
Anacortes, Washington 2-24-16

Tree	Species	dbh (in.)	Vigor	Structure	Risk of Failure	Comments on Trees	Maintenance Recommendation	Preservation Value	Tree Credits	P & I CRZ*
1	Domestic apple, <i>Malus domestica</i>	6	Fair	Fair	Moderate		Will need maintenance pruning over time.	Low	2	6/3
2	Norway spruce, <i>Picea abies</i>	21.5	Good	Good	Moderate	Surface roots. One of the better spruce trees in our area.		High	5	22/11
3	Colorado blue spruce, <i>Picea pungens</i>	16	Poor-Fair	Poor-Fair	Moderate	Needle dieback from spruce adelgid. Continuous needle loss and decline from Spruce Adelgid.	Will require annual and repetitive chemical applications to improve appearance.	Low	5	16/8
4	Douglas Fir, <i>Pseudotsuga menziesii</i>	20	Good	Poor-Fair	Moderate-High	Topped or lost leader with new leader growing that may become weak.	Monitor.	Medium	5	20/10
5	Grand fir, <i>Abies grandis</i>	27.5	Good	Poor-Fair	Moderate-High	Double leader.	Monitor. Consider cabling to reduce failure potential.	Medium-High	8	28/14
6	Jeffrey Pine, <i>Pinus jeffreyi</i>	32	Good	Poor-Fair	Moderate-High	This is an unusual and special tree in our area. The cones are very large. Good tree to retain. Double leader.	Consider cabling to reduce failure potential. Monitor.	High	8	32/16
7	English Walnut, <i>Juglans regia</i>	8	Poor	Fair	Moderate	Suppressed. Trees is crowded by nearby trees and likely has root or soil issues causing slow vigor.	<u>Consider removal, but not hazardous. Upon further review it was decided to remove this tree.</u>	Low	0	8/4
8	Douglas Fir, <i>Pseudotsuga menziesii</i>	22	Good	Good	Moderate	Excellent large native tree.		High	5	22/11
9	Douglas Fir, <i>Pseudotsuga menziesii</i>	9.5	Good	Good	Moderate	Suppressed. Trees is crowded by nearby trees and likely has root or soil issues causing slow vigor.	Crowded by adjacent trees. May consider removal at some time.	Medium-High	2	10/5
10	Grand fir, <i>Abies grandis</i>	19	Fair-Good	Fair-Good	Moderate	Appears to be stunted but stable. Rather short stout stature for the species but a good tree to retain at this time.		Medium-High	5	20/10
11	Domestic apple, <i>Malus domestica</i>	5.8	Fair-Good	Fair-Good	Moderate	Suppressed.	Needs corrective pruning.	Moderate	2	6/3
12	Pacific Madrone, <i>Arbutus menziesii</i>	19.5, 8	Good	Good	Moderate	Relatively canker free which is a little unique in our area. Trunk has great character for retention.		High	5	24/12

Allen - 9 Lot Short Plat
Anacortes, Washington 2-24-16

13	Western red cedar, Thuja plicata	18	Poor	Good	Moderate	Weak - Dead top. Monitor. Cedars can be retained with dead tops.	<u>Mulch around base of tree to improve tree vigor. Upon further review it was decided to remove this tree</u>	Low	0	18/9
14	Italian Plum, Prunus domestica	11	Fair	Poor	Moderate-High	Old - Weak but functional. Likely a good fruiting tree.	Monitor.	Low	5	11/6
15	Italian Plum, Prunus domestica	8	Fair	Poor	Moderate-High	Old - Weak but functional. Likely a good fruiting tree.	Monitor.	Low	2	8/4
16	Incense Cedar, Calocedrus decurrens	4	Fair-Good	Fair-Good	Low	Crooked trunk - tree with character.		High	1	4/2
17	Douglas Fir, Pseudotsuga menziesii	21	Fair-Good	Good	High	Good edge tree		High	5	21/11
18	Domestic apple, Malus domestica	8,6,8,8, (20)	Poor	Poor	High	Poor, short tree - Trunk decay. In decline. Consider replacement in the near future.	Monitor	Low	5	20/10
19	Western red cedar, Thuja plicata	30	Fair	Good	Moderate		Mulch	High	8	30/15
20	Western red cedar, Thuja plicata	26	Fair	Good	Moderate		Mulch	High	8	26/13
21	Mugo Pine, Pinus mugo	6,4,3,2	Fair	Fair	Low	Multi-stem character tree		Medium	2	12/6
22	Yew tree, Taxus baccata	10,9,8,6	Fair	Fair	Low	Tall, multi-stem yew. Shrub tree		Low	5	20/10
23	Pin Oak, quercus palustris	18.5	Good	Poor-Fair	Moderate	Poor structure but not hazardous.	Crown Clean	Medium	5	19/10
Total Tree Unit Credits									98	

DEFINITIONS AND NOTES:

- (1) **d.b.h.** = Diameter at breast height (approximately 4.5 ft. above surface grade).
- (2) **Vigor** = Health based on size and color of leaf or needle and length of growth.
- (3) **Structure** = Trunk and branch development and it's estimated susceptibility to failure.
- (4) **Risk of Failure** = The estimate of tree or limb stability based on its present condition.
 Low = Little if any danger of failure at this time.
 Moderate = Conditions observed show potential failure in extreme conditions.
 High = Low vigor, poor crown to height ratio, root damage or structural defect make potential for failure high in near future.
 Extreme = Conditions warrant that tree is in eminent danger of failure. Remove immediately.
- (5) **Maintenance Recommendations Explanation:** These recommendations are based on the condition of the trees as they are now.
 (a) **Crown Clean** = Selective removal of one or more of the following items: dead, dying, diseased, weak branches,

- (b) **Crown Thin** = Selective removal of branches to increase light penetration, air movement, and reduce end weight.
- (c) **Crown Raise** = Selective removal of lower branches of the tree in order to provide clearance.
- (d) **Crown Reduction** = Reduction in size or height of tree by pruning away height or width. Arborist must be knowledgeable of the ability of the species to sustain this type of pruning.
- (e) **Crown Restoration** = Pruning to improve the structure, form, and appearance of trees that have been severely headed, vandalized, or storm damaged.
- (f) **Cable and/or Brace** = Cabling and/or Bracing would decrease the potential risk of failure, but not eliminate the possibility.
- (g) **Remove** = The high to extreme risk of failure warrants that the tree shall be removed immediately.
- (h) **Create Wildlife Snag** = Trees cut to wildlife snags provide perching, nesting, and a source of food for birds and other wildlife.
- (i) **Monitor** = Trees of a particular species or condition that may be prone to more rapid decline than other trees. These trees should be inspected at least annually for changing conditions.
- (6) **Preservation Value Explanation:**
 - LOW = Poor specimen
 - MODERATE = Common species with minimal character.
 - HIGH = Good character tree, save if possible.
 - SPECIAL = Unique species, save if possible.
- (7) **PRUNING NOTE:** Pruning shall be performed by an ISA Certified Arborist with proven knowledge and ability using ANSI A300 Pruning Specifications.
- (8) **Time Estimate:** Time estimate is based on a 3-person crew performing the work. This is only an estimate. The actual work should be bid by companies qualified to do the work.
- (9) **Comments Explanation:**
 - (a) **Included Bark** = Junction just below two branches where bark ridge is curled inward towards center of tree creating high probability of failure.
 - (b) **Critical Rootzone (CRZ)** = A circular area under a tree to be protected from construction activities. This area is equal to 1 ft. radius for every 1 in. diameter of tree measured at 4.5 ft. above ground.
- (10) **P & I CRZ = Perimeter and Interior Critical Root Zone.** See Critical Root Zone Explanation Attachment to Report.



General Tree Protection Guidelines With Critical Root Zone Explanation Attachment

1. **Responsibilities:** These Guidelines pertain to any disturbance, use or activity within the Critical Root Zone of any retained tree on this project. See attached **Critical Root Zone Explanation** for reference. The owner's arborist and general contractor shall meet onsite before any site work begins, to review and designate the most appropriate methods to be used to protect the retained trees during construction.

These guidelines apply to work provided by all contractors and sub-contractors on the project.

The project consulting arborist shall be contacted prior to any work that may need to enter the tree protection fencing. Two days notice shall be provided to the project consulting arborist. A proposed method for work shall be provided to the arborist. This method shall be reviewed by the project consulting arborist and either approval and / or comments provided by the project consulting arborist prior to commencing works within the tree protection area. He or she should be notified within 8 hours should any injury occur to any protected tree or its larger roots (greater than 2-inch diameter) so that appropriate assessment and/or treatment may be made.

2. **Soil Disturbance:** No soil disturbance shall take place before tree protection fences are installed. All evaluated trees to be retained within these areas are clearly illustrated on the Site Plan.
3. **Designated Tree Removals:** The owner's arborist and contractor shall confirm on site which trees are to be removed and those to be retained. Directional felling and removal of trees will be completed with great care to avoid any damage to the trunks, limbs, and critical root zones of the retained trees.
4. **The Tree Protection Site Plan** shows the recommended location of the Tree Protection Fence (TPF). Immediately after the clearing limits and grading stakes are set in the field, the owner's arborist, during review and discussion with the contractor, will make a final determination on the tree protection requirements depending on construction limits and impact on major roots and soil condition. The arborist may adjust clearing limits in the field so that, in his/her opinion, tree roots and soils are protected while necessary work can proceed.
5. **The Tree Protection Fence (TPF)** shall be installed along the clearing limits, with special consideration of the Critical Root Zone (CRZ) of trees to be preserved. The CRZ of a tree is generally described as an area equal to 1-foot radius for every 1-inch diameter of tree. For example, a 10-inch diameter tree has a CRZ of 10-foot radius. Work within the CRZ may be limited to hand work or alternate method of construction.

15119 McLean Road
Mount Vernon, WA 98273

Office (360) 428-5810
Fax (360) 428-1822
Cell (360) 770-9923

The Tree Protection Fence (TPF) shall be constructed with steel posts driven into the ground with 6-ft. chain link fence attached. Upon consultation with the contractor, the arborist shall determine the placement of the fence and the extent and method of clearing that may be done near preserved trees. Additional follow-up determinations may be required as work progresses on the project. See attached **Critical Root Zone Explanation**.

No parking, storage, dumping, or burning of materials is allowed beyond the clearing limits or within the Tree Protection Fence.

The TPF shall not be moved without authorization by the owner's arborist or City arborist. The TPF shall remain in place for the duration of the project.

Work within this area shall be reviewed with and approved by the owner's arborist. Call Urban Forestry Services, Inc. at 360-428-5810 with questions.

6. **Silt Fence:** If a silt fence is required to be installed within the Critical Root Zone of a retained tree, the bottom of the silt fence shall not be buried in a trench, but instead, folded over and placed flat on the ground. The flat portion of the silt fence shall be covered with gravel or soil for anchorage.
7. **CRZ over Hardscape:** Where the Critical Root Zone (CRZ) includes an area covered by hardscape, the TPF can be placed along the edge of the hardscape if and until it is removed. After hardscape removal, the available CRZ should be backfilled with topsoil up to 6 inches deep and protected with the TPF. Incorporation of topsoil into the existing sub-grade shall be determined by the consulting arborist. Where applicable a specification for topsoil will be provided or approved by Urban Forestry Services, Inc.
8. **Tree Protection Signs** shall be attached to the fence only and shall be shown as required on the Site Plan. They should read "Protect Critical Root Zone (CRZ) of trees to be retained. No soil disturbance, parking, storage, dumping, or burning of materials is allowed within the Tree Protection Barrier. " Monetary Fines based on the appraised dollar value of the retained trees may also be included on these signs. Telephone contact details for the project consulting arborist should also be included in the sign.
9. **Soil Protection within the Critical Root Zone (CRZ):** Where vehicular access, temporary work pad or storage pad is required within the CRZ of any preserved tree that is not protected with hardscape, the soil shall be protected with 18" of woodchips and/or plywood or metal sheets to protect from soil compaction and damage to roots of retained trees. A biodegradable coir mat netting is recommended to be placed on the existing grade before woodchip placement to protect the condition and confirm the location of the existing grade. The netting is a valuable benchmark upon removal of the material within the CRZ.

10. **Landscape Plans, Irrigation Design and Installation Details:** Great care shall be exercised when landscaping within the Critical Root Zone (CRZ) of any tree. Roots of preserved trees and other vegetation shall not be damaged by planting or installation of irrigation lines. The owner's arborist shall review the Landscape Plan for any potential design and tree preservation conflicts and approve related irrigation and landscape installation activities within the CRZ of retained trees. A proposed method for work shall be provided to and approved by the arborist.
11. **Backfill and Grade Changes:** The owner's arborist will determine to what extent backfilling may be allowed within the Critical Root Zone of a preserved tree, and if needed, the specific material which may be used. Grade cuts are usually more detrimental than grade filling within the CRZ and should be reviewed by the arborist well in advance of construction.
12. **Tree Maintenance and Pruning:** Trees recommended for maintenance and approved by the owner, shall be pruned for deadwood, low hanging limbs, and proper balance, as recommended for safety, clearance or aesthetics. All pruning shall be done by an International Society of Arboriculture Certified Arborist. *ANSI A300 American Standards for Pruning* shall be used. Limbs of retained trees within 10 feet or less, of any power line, depending on power line voltage, may only be pruned by a Utility Certified Arborist. This pruning must be coordinated with the local power company, as they may prefer to provide this pruning.
13. **Underground Utilities:** Utility installation within the Critical Root Zone (CRZ) of any retained tree shall be reviewed by the Project Consulting Arborist. A less root disturbing route or minimal impact installation method of utility installation may be discussed and recommended i.e. tunneling or trenchless excavation. Trenching through the Interior CRZ of a retained tree is not usually allowed. **See CRZ Explanation to differentiate between the Perimeter and Interior CRZ.** An Air spade and Vac Truck may be required when utility installation is mandatory near a retained tree or other methodology such as trenchless excavation.
14. **Root Pruning:** Required work may result in the cutting of roots of retained trees. Cutting roots 2" or greater should be avoided. Potential root pruning needs should be reviewed in advance with the Project Consulting Arborist to minimize potential root fracturing and other damage. Severed roots of retained trees shall be cut off cleanly with a sharp saw or pruning shears. Applying pruning paint on trunk or root wounds is not recommended. Severed roots shall be covered immediately after final pruning with moist soil or covered with mulch until covered with soil. Excavation equipment operators shall take extreme care not to hook roots and pull them back towards retained trees. In all cases, the excavator shall sit outside of the CRZ. Soil excavation within the CRZ shall be under the direct supervision of the owner's arborist.
15. **Supplemental Tree Irrigation:** If clearing is performed during the summer, supplemental watering and/or mulching over the root systems within the Tree Protection Fencing of preserved trees may be required by the owner's arborist. The arborist should be notified of the proposed schedule for clearing and grading work. Supplemental watering and mulching over the root systems of roots impacted or stressed trees are strongly recommended to compensate for root loss and initiate new root growth. Long periods of slow drip irrigation will be most effective. A large coil of soaker hose starting at least

18" from the trunk and covering the Interior Critical Root Zone area is recommended. Water once per week and check soils for at least 12 inches infiltration. This work shall be under the direct supervision of the owner's arborist.

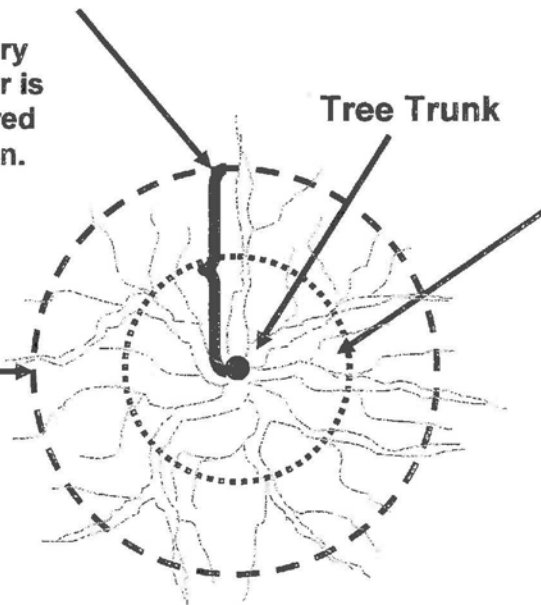
16. Additional Measures: Additional tree protection recommendations may be required and may be specified in Urban Forestry Services, Inc. report(s).

17. Final Inspection: The owner's arborist shall make a final site visit to report on retained tree condition following completed work and shall report to the city to release the bond for the retained trees.

Critical Root Zone (CRZ) =
12" Radius for every
Tree inch diameter is
generally considered
optimum protection.

**Perimeter Critical
Root Zone (PCRZ)**
= the outer half of the
CRZ

The greater the
disturbance allowed in
this area, the greater
Post Care is required.



**Interior Critical Root
Zone (ICRZ)**
= the inner half of the
CRZ
Protecting only this area
would cause significant
impact to the tree,
potentially life
threatening, and would
require maximum Post
Care Treatment to retain
the tree. See Post Care
Treatment below.

The Critical Root Zone (CRZ) of a tree is established on the basis of the trunk diameter. The CRZ is a circular area which has a radius of 12 inches to every inch diameter of trunk measured at 4.5 feet above grade. Root systems will vary both in depth and spread depending on size of tree, soils, water table, species and other factors. However, this CRZ description is generally accepted in the tree industry. Protecting this entire area should result in no adverse impact to the tree.

The above CRZ drawing has been further differentiated into the 'Perimeter' (PCRZ) and 'Interior' (ICRZ) to help define potential impact and required Post Care. Generally, the full PCRZ is considered the optimum amount of root protection for a tree. As one encroaches into the "Perimeter CRZ, but not into the "Interior CRZ" the greater Post Care the tree would require to remain alive and stable. The 'Interior CRZ is half the radius of the full PCRZ. Disturbance into the ICRZ could destabilize or cause the tree to decline.

The absolute maximum disturbance allowed should leave the 'Interior' CRZ undisturbed if the tree is to have any chance of survival. This 'Interior' CRZ would approximately equal the size of a rootball needed to transplant this tree which in turn would require extensive Post Care and possibly guying. Post Care Treatment includes but may not be limited to; regular irrigation, misting, root treatment with special root hormones, mulching, guying and monitoring for several years.



Urban Forestry Services, Inc.
15119 McLean Rd.
Mount Vernon, WA 98273

Title: Explanation of Critical Root Zone (CRZ)
Source: Urban Forestry Services, Inc
Jim Barborinas, ISA Certified Arborist PN-0135
ASCA Registered Consulting Arborist #356,
Certified Tree Risk Assessor #PNW-0327

Date: 2014

Not to Scale

EXHIBIT #7

SITE PLAN:

Area Within Property Lines = 85,439 Sq Ft 1.96 Ac.
(Area in Plat Road = 8,387 Sq Ft 0.19 Ac. included in above area)
Area in 36th St. & K Ave. = 15,851 Sq Ft 0.36 Ac.
Total Area for Density Calculation 101,290 Sq Ft
Required Area = 4 units per Acres, 10,890 Sq Ft
multiplied by 9 = 98,010 Sq Ft

BASIS OF BEARINGS
Survey per AFN 200506150088

Auditor's Certificate

Intersection of M Ave. and
38th St. Brass disk in
monument case. Visited April,
2015.
Section centerline bears
N00°16'30"E 0.73

1348.27 per record
to East Quarter Corner

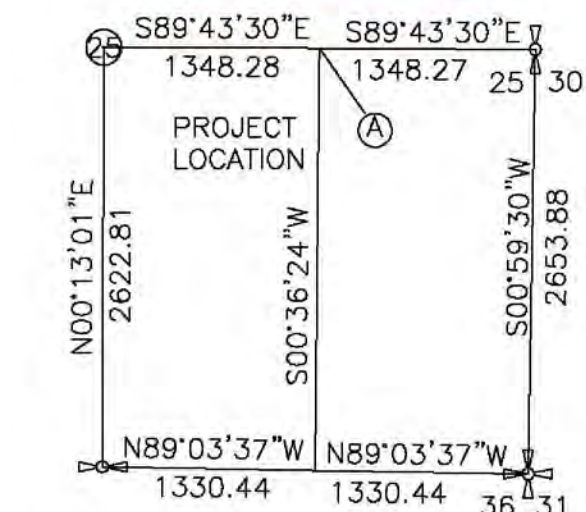
P 32158

SURVEY NOTES

- 1) This survey has been prepared from a closed random traverse using an instrument measuring angles to 3 seconds of arc and distances rounded to hundredths of feet. Note resultant areas are only accurate within the positional tolerance of the methods of survey.
- 2) The monuments (rebars) shown were found in substantial agreement with the survey of record, AFN 200506150088.
- 3) The purpose of this survey has been to describe existing boundaries and to create the nine lots shown by short subdivision.
- 4) The east line of Block 3, Gray Addition appears with questionable legibility to be 288' resulting in the width of Summer Street being 32'. Note also, per AFN 200004270085 that Summer St. therein is described as being 35.01 feet in width. Note also that Summer Street lies on the north side of the plat of Broadview not south.
- 5.) Area in 38th Street - See descriptions sheet 2 of 2.
- 6.) Lot corner monuments and street monuments that are required by Anacortes Municipal Code are to be set upon receipt of preliminary approval.

Refer to engineering plans attached illustrating existing and proposed utilities and other design features.

SECTION DETAIL



A portion of the NW 1/4 of the SE 1/4
Section 25, Township 35 N., Range 1 East,
W.M.
NOTE: Section monuments were not visited
during this survey. Boundaries are based on
that survey of record AFN 200506150088.

PROPERTY OF: Thomas Allen, Custodian
Tax Parcels P32057, P32058 and P32056

SHEET 1 OF 2

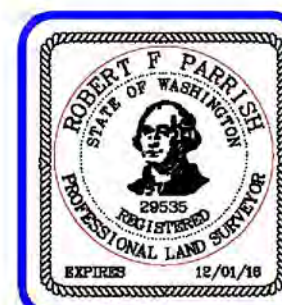
Preliminary Short Plat

SHORT PLAT NO. SPL-2015-0006 PUBLIC WORKS NO. 16-010 DEV.

Surveyor's Certificate

This map correctly represents a survey made by me or
under my direction in conformance with the
requirements of the Survey Recording Act at the
request of Thomas I. Allen, Custodian, owner of property
in Skagit County, Washington in May, 2015

Certificate No. 29535



FILE NAME: 1504-710			
SCALE: 1" = 30'			
DATE OF PLAN: 2-1-16			
DRAWN BY: RFP			
F.B. No. 41			
QUARTER	SECTION	TOWNSHIP	RANGE
SE	25	35N	1E

PREPARED FOR:

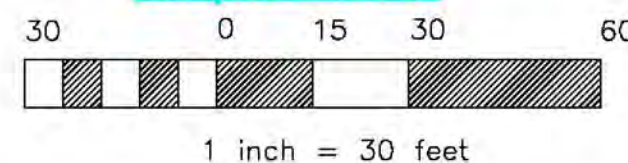
38th Street Short Plat

PLS Pacific Land Surveys
PO Box 214, Lopez, Washington 98651
ANACORTES (360) 588-1467 email parrish@rockisland.com

BLOCK 1
PLAT OF GRAY'S
SECOND ADDITION
VOLUME 2, PAGE 13



Graphic Scale



Legend

- Street Monuments (see survey note 6)
 - Rebar & Cap, LS 25971
 - Pipe as noted
- Notations in parenthesis are
quoted from pre-division
conditions (Bearing Distance) or
(Tax Number & Address)
- TBR Building TO BE REMOVED

Rebar & Cap,
LS 25971,
Corner Bears
N87°35'51"E 0.38

Lot 13
Broadview Add.

PLAT OF BROADVIEW
ADDITION AFN 506534

1" diameter pipe,
no cap, found per
Plat of Broadview
Add. AFN 506534
Corner Bears
S42°29'42"W 0.43

1411 38TH STREET P-32056 AUDITOR'S FILE NUMBER 2005-04150041

A tract of land in the Northwest Quarter of the Southeast Quarter of Section 25, Township 35 North, Range 1 East, W.M. more particularly described as follows:
Beginning at the point of intersection of the South line of 38th Street and the East line of the Northwest Quarter of the Southeast Quarter;
Thence West along the South line of 38th Street, a distance of 70 feet, more or less, to the Northeast Corner of the property conveyed to Cynthia L. Dolman by instrument recorded August 20, 2004, under Auditor's File Number 200408200109, records of Skagit County, Washington;
Thence S00°19'30"W along the east line of the Dolman Tract, a distance of 255.3 feet, more or less, to the North line of the Broadview Addition Subdivision;
Thence East along the North line of the Broadview Addition, a distance of 70 feet, more or less, to the East line of the Northwest Quarter of the Southeast Quarter; Thence N00°13'30"E along said East line, a distance of 255.3 feet, (*1)more or less, to the South line of 38th Street and the true point of beginning.
(*1) calls for record monuments held over distance

1415 38TH STREET P-32055 AUDITOR'S FILE NUMBER 20150115005

A tract of land in the Northwest Quarter of the Southeast Quarter of Section 25, Township 35 North, Range 1 East, W.M., described as follows:
Beginning at a point on the East line of said subdivision 40.0 feet South of the Northeast corner thereof; thence West parallel to the North line of said subdivision 70.0 feet to the true point of beginning;
thence from said true point of beginning S00°19'30"W, parallel to the East line of said subdivision, 255.3 feet, more or less, to the North line of Summer Street (now vacated) as shown on the "Plat of Gray's Second Addition to the City of Anacortes," as per plat recorded in Volume 2 of Plats, page 13, records of Skagit County, Washington; thence West along the North line of said vacated Summer Street, 85.00 feet; thence N00°19'30"E parallel to the East line of said subdivision 255.3 feet; (*1) thence East 85.0 feet to the true point of beginning.

Situate in the City of Anacortes, County of Skagit, State of Washington.

1417 38th STREET P-32057 AUDITOR'S FILE NUMBER 200202140117 (PARCELS A AND B THEREIN COMBINED AND RE-DESCRIBED PER SURVEY RECORDED UNDER AUDITOR'S FILE NUMBER 200506150088)

Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 25, Township 35 North, Range 1 East, W.M.
Thence west along the north line of said Northeast Quarter a distance of 155 feet to the point of beginning; thence South a distance of 330.31 feet; thence West Distance of 140 feet; thence North a distance of 330.31 feet; thence East a distance of 140 feet to the point of beginning,
Less the North 40 feet;

PARCEL C (A portion of vacated summer street enclosed by the above courses)

A tract of land in the Northwest Quarter of the Southeast Quarter of Section 25, Township 35 North, Range 1 East, W.M., described as follows;

Commencing at a point on the East line of said subdivision 295.3 feet South of the Northeast corner thereof; thence West parallel with the North line of said subdivision 155 feet to the Southeast corner of a tract of land conveyed to William F. Gallagher by deed recorded June 18, 1956, under Auditor's File No. 537557, records of Skagit County, Washington, and the true point of beginning; thence continue West along the South line of said Gallagher Trust, 125 feet, more or less, to the Northwest corner of that portion of Summer Street in the Plat of Gray's Second Addition to the City of Anacortes, recorded in Volume 2 of Plats, page 13, which was vacated by ordinance recorded September 17, 1954, under Auditor's File No. 506620, records of Skagit County, Washington; thence S00°10'30"W parallel with the East line of said subdivision 35.01 feet, more or less, to the South line of said vacated Summer Street; thence East along the South line of said vacated Summer Street, 125 feet, more or less, to a point due South of the true point of beginning; thence N00°10'30"E, 35.01 feet, more or less, to the true point of beginning.

EASEMENT AUDITOR'S FILE NUMBER 182249 (eastern portion of property)

To the City of Anacortes, February 10, 1925
Pipe line, pole line for telephone and power lines and the right during construction work thereon and right of ingress and egress over and across the said property for the purposes of maintaining, operating and repairing of doing any other work in connection with its said pipe line thereon.

EASEMENT AUDITOR'S FILE NUMBER 201502060053 (the south 32 feet of the following described parcel)

Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 25 North, Range 1 East; thence west along the north line of said northwest quarter of the southeast quarter, a distance of 155.0 feet to the Point of Beginning; thence South a distance of 330.31 feet;thence West a distance of 140.0 feet; thence North a distance of 330.31 feet; thence East a distance of 140 feet to the Point of Beginning.

EASEMENT AUDITOR'S FILE NUMBER 200004270085 (Contains numerous errors and conflicting deed calls)

The easement above, AFN 201502060053, appears to have been created in order to correct and re-convey the easement benefiting the owner of Lot 13, now of Haskenson

Relinquishment of Easement, Auditor's File Number 201506110055
East Along a strip of unplatted land lying north of* and adjacent to Lot 13. This same strip of land lies within Summer Street. It* was vacated per Ordinance No. 1140 on September 14, 1954 by the City of Anacortes. Broadview Addition was recorded after the vacation ordinance under A.F. No. 50634 on September 16, 1954.
*noted scrivener's errors in recorded text

REQUIRED CERTIFICATIONS, DEDICATIONS AND ACKNOWLEDGEMENTS TO BE INCLUDED ON FINAL

SHEET 2 OF 2

Preliminary Short Plat

SHORT PLAT NO. SPL-2015-0006 PUBLIC WORKS NO. 16-010 DEV.



FILE NAME: 1504-710			
SCALE: 1" = 30'			
DATE OF PLAN: 2-1-16			
DRAWN BY: RFP			
F.B. No. 41			
QUARTER	SECTION	TOWNSHIP	RANGE
SE	25	35N	1E



PREPARED FOR:

38th Street Short Plat

Parrish Land Surveys
PO Box 214, Lopez, Washington 98281
ANACORTES (360) 588-1467 email parrish@rockisland.com

EXHIBIT #8

SEPA MDNS:



Anacortes Planning, Community & Economic Development Dept.

Permit Center

P.O. Box 547, Anacortes, WA 98221-0547

Don Measamer, *Director of Planning, Community and Economic Development*

PH (360) 293-1907

FAX (360) 293-1938

STATE ENVIRONMENTAL POLICY ACT (SEPA)

Mitigated Determination of Non-Significance (MDNS)

PROJECT NAME:

38th Street Short Plat

FILE NUMBER:

SPL-2015-0006

APPLICANT:

Tom Allen
Allen Family Investments, LLC
P.O. Box 817
Anacortes, WA 98221

LANDOWNER:

Tom Allen
Allen Family Investments, LLC
P.O. Box 817
Anacortes, WA 98221

AGENT:

John Ravnik
Ravnik & Associates
P.O. Box 361
Anacortes, WA 98221

PROJECT SURVEYOR:

Parish Land Surveying
P.O. Box 314
Lopez Island, WA 98261

PROJECT PLANNER:

Kevin Cricchio, AICP
Associate Planner
City of Anacortes
904 6th Street
Anacortes, WA 98221

SUBJECT PROPOSAL:

Nine (9) lot short plat of the subject property.

PERMITS REQUIRED:

The following permits /approval may be required in addition to the above: Civil Construction Plan approval; final short plat approval; building permit(s) approval; & other applicable state and federal permits/authorizations.

EXISTING ENVIRONMENTAL DOCUMENTS:

SEPA Environmental Checklist, Tree Preservation Plan, & Geotechnical & Infiltration Assessment.

38th Street Short Plat
SEPA MDNS

SPL-2015-0006
Tom Allen

PROJECT LOCATION:

The subject property is located on the south side of 38th Street between “M” Avenue and “J” Avenue within a portion of Section 25; Township 35 North; Range 01 East; Willamette Meridian.

SUBJECT PARCEL:

Parcel #: P32057, P32056, & P32055

ZONING DISTRICT:

The subject property is located in the R2 Zoning District of the City of Anacortes.

COMPREHENSIVE PLAN DESIGNATION:

The subject property is located in the Residential Low Density (R2) Comprehensive Plan Designation.

CUT & FILL:

- A. Within the property: The proposed cut includes approximately 763 cubic yards to be stock piled for common lot fill around the site, but not under, structures. Additionally, approximately 150 cubic yards will be excavated for the construction of the proposed infiltration system, which could potentially be used to fill the proposed residential lots.
- B. Within the alignment of proposed roads: The proposed cut and fill are approximately 450 cubic yards and 350 cubic yards, respectively.

CRITICAL AREAS:

No known critical areas are located either on or within 300 feet proximity to the subject property.

TRANSPORTATION:

The site will be accessed by a new public road off of 38th Street which is designated as a local residential street.

TREE PRESERVATION PLAN:

The applicant submitted a Tree Preservation Plan that was prepared by Urban Forestry Services of Mount Vernon, Washington, dated February 25, 2016. According to this report there are a total of fifty-eight (58) significant trees located on the project site of which the applicant proposes to retain a total of twenty-one (21) trees. Since the subject property is 85,451 net square feet in area, the developer is required to have a minimum of eight-six (86) tree unit credits. The twenty-one (21) trees that the applicant wishes to retain add up to ninety-eight (98) tree unit credits. Therefore, conformance with AMC Chapter 16.50 has been met.

LEAD AGENCY:

City of Anacortes' Department of Planning, Community & Economic Development. The lead agency for this proposal has determined that this project does not have a probable adverse impact on the environment provided that the conditions set out below are satisfied. An environmental impact statement (EIS) is not required under RCW § 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

MITIGATION MEASURES:

1. All required permits shall be secured before any construction activities begin onsite.
2. Those twenty-one (21) trees designated for retention on the submitted tree preservation plan shall be protected before and during site development and construction through adherence to AMC § 16.50.100. Chain link fencing (or other sturdy construction fencing) shall be erected along the drip line (plus 6 feet) of each of the trees designated for retention on the plan.
3. Before any site development or construction activities occur on the subject property the applicant shall contact the Department of Planning, Community, and Economic Development to arrange a tree fence inspection.
4. As directed by the Public Works &/or Planning/Building Departments, the applicant/landowner shall be responsible to sweep as needed 38th Street adjacent to the subject property and assure all mud and debris associated with construction activities is removed.

The conditions listed above along with the City of Anacortes' code governing noise, land use, traffic, drainage, fire protection, and building will provide substantial mitigation of the aforementioned environmental impacts. The City of Anacortes' derives the authority to require mitigation from Chapter 18.04 of the Anacortes Municipal Code and the State Environmental Policy Act.

This MDNS is issued after using the optional MDNS process in WAC § 197.11.355. There is no further comment period on this MDNS.

RESPONSIBLE OFFICIAL:

POSITION/TITLE:

Don Measamer
Director of Planning, Community & Economic
Development

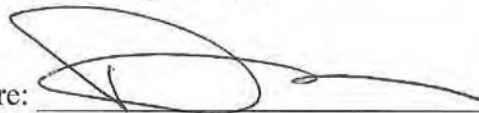
ADDRESS:

904 6th Street, P.O. Box 547
Anacortes, Washington 98221

DATE:

4/20/16

Signature:



38th Street Short Plat
SEPA MDNS

SPL-2015-0006
Tom Allen

For further information, contact the City of Anacortes' Department of Planning, Community, & Economic Development at (360) 299-1901.

The issuance of this Mitigated Determination of Non-significance should not be interpreted as acceptance or approval of the proposal as presented. The City of Anacortes reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interests of the city and/or necessary for the general health, safety and welfare of the public to do so.

ISSUED: April 21, 2016

SEPA APPEAL PROCEDURE:

Pursuant to the procedures adopted under AMC § 18.04.250, no administrative appeal of the SEPA threshold determination is provided. The SEPA threshold determination may be appealed to the Skagit County Superior Court under RCW § 43.21C.075 after the City's final action on the underlying action(s). *Requests to receive notices of decisions for this project proposal should be submitted to the contact person listed above.*

EXHIBIT C

NOTICE OF DECISION & NOTICE OF HEARING:



NOTICE OF DECISION:

Request: Nine (9) Lot Short Plat

File Number: SPL-2015-0006

Project Location: The subject property is located on the south side of 38th Street between “M” Avenue and “J” Avenue within a portion of Section 25; Township 35 North; Range 01 East; Willamette Meridian.

Applicant/Contact: Tom Allen
P.O. Box 817
Anacortes, WA 98221

Date of Application: December 24, 2015

Complete Application: March 16, 2016

Comment Period Ended: March 31, 2016

Decision Date: April 21, 2016

Decision: Approval with conditions

SEPA Review: SEPA MDNS Issued

Public Hearing: A public hearing was not required for this project.

Appeals: Any party aggrieved by the decision of the administrator may appeal to the city council by filing a notice of appeal with the city clerk within fifteen days of the tentative approval, or disapproval, by the administrator. The appeal shall state the reason for the appeal and be signed by the party filing the appeal. (AMC § 16.08.040).

Inquiries regarding the application, decision and appeal process as well as requests to view documents pertinent to the proposal may be made at the Planning, Community & Economic Development Department at 904 6th Street, Anacortes, WA 98221 (Tel: 360-299-1969) during normal business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m.

For Project Information: Kevin Cricchio, Associate Planner; (360) 630-6270; Email: kevinc@cityofanacortes.org.

Appeals End: 5:00 PM on May 6, 2016



NOTICE OF HEARING:

Notice is hereby given that an appeal was made of the following proposal:

Request: Notice is hereby given that an open-record public hearing will be conducted associated with the appeal of the subject short plat's approval. The applicant applied for a short plat and SEPA environmental review to create nine (9) lots. The subject property is 2.31 ± gross acres in area and lies in the Residential 2 (R2) Zoning District. The City Council will discuss and deliberate on a possible decision at the June 6, 2016, hearing.

File Number: Short Plat (SPL-2015-0006)

Applicant: Tom Allen, Allen Family Investments LLC, P.O. Box 817, Anacortes, WA 98221

Project Location: The subject property is located on the south side of 38th Street between "M" Avenue and "J" Avenue within a portion of Section 25; Township 35 North; Range 01 East; Willamette Meridian. Parcels #: P32057, P32056, & P32055.

Project Name: 38th Street Short Plat

Date of Application: December 24, 2015

Date of Completeness: March 16, 2016

Date of Approval: April 21, 2016

Required Project Permits/Approvals: The following may be required: Preliminary and final plat approval, construction plans, building permits, & NPDES permit.

Existing Environmental Documents: SEPA environmental checklist, Geotechnical & Infiltration Assessment, Tree Preservation Plan, & Preliminary Drainage Report prepared by Ravnik & Associates

SEPA Review: A SEPA MDNS was issued on April 21, 2016

Open-Record Public Hearing on the Appeal: An open-record public hearing will be held on **June 06, 2016**, by the City Council to make a decision on the appeal of the subject short plat's approval. The hearing will be at 6:00 PM located in City Council chambers located at 904 6th Street, Anacortes, WA.

Public Comment Period: The comment period ended on March 31, 2016.

For Project Information: Kevin Cricchio, Associate Planner; (360) 630-6270; kevinc@cityofanacortes.org
City of Anacortes Community & Economic Development Department, P.O. Box 547, Anacortes, WA 98221

Date Issued: May 25, 2016

Publish: May 25, 2016

EXHIBIT D

APPEAL(S) RECEIVED:

May 5, 2016

Anacortes City Council
904 6th St.
Anacortes, WA 98221



REC'D 10:50 E.B.H.
St. 04/0

Dear City Council Members,

I hereby submit an appeal to the city council regarding the Planning Department decision on application file # SPL-2015-006. I am aggrieved by this decision for the following reasons and would like to present this to you at a council hearing.

1. The submitted plan for storm water contains several inaccuracies, including the projected volume, errors on reference maps and incorrect use of terms. There are not enough specifications of the proposed mitigation. It is listed as a bioswale/raingarden. These are two very different solutions and there needs to be clarity of what is being constructed, who will maintain it, and if it even has the capacity to meet current required Department of Ecology standards for storm filtration for clean water. This is an area of class C/D soils as described in the submitted documents, and is not suitable for a small-scale (2' as proposed) bioswale. Please see attached Department of Ecology guidelines.
2. There are mistakes with the setup back dimensions, thus making the placing of nine lots in this acreage too dense. For example, there needs to be a 15' sidewalk easement in the cul-de-sac, but the site map shows only 12' from the existing house on lot 2, not even from the lot line.
3. Anacortes Municipal Code says that access to residential homes must be on developed streets. Short-plats may only allow for six accesses. The other three lots were to be accessed from 38th St. However, the planning department has provided conflicting information about this. They illegally gave the developer approval to build a garage and driveway from undeveloped K Avenue, while responding to parties of record that NO access will be allowed from K Avenue. In fact, on the original site map posted and mailed to residents, it does not clearly indicate street access to the lots.
4. The tree preservation plan is inadequate. The fact that the developer plans to remove significant mature evergreens from the lot line (lots 1 and 9) along K Avenue, further indicates plans to access the property from that side. There are additional tree canopy requirements related to using a bioswale to treat storm water.
5. This short-plat will intrude on an established neighborhood in a negative way and is not consistent with the 2012 Comprehensive Plan. It violates Goal #3, "Promote compatible land uses and improve visual appearance in each and every zoning district". This neighborhood is

zoned R2, with single family homes well landscaped, and all fronting on 38th St. Putting two lots one in front of the other facing 38th St. completely degrades the visual appearance of this neighborhood. Sidewalks without planting strips also provide no relief from the huge increase in hard surface and residences and do not meet landscape requirements.

6. The Planning Department should have incorporated existing land uses of 38th St. when they made their decision. It is now a significant pedestrian artery, since there is direct access to the Ace of Hearts Park. There is considerable foot traffic on this road. With seven additional houses plus the existing two residences, parking is going to overflow on to 38th St., which is not currently developed for parking. The traffic will be so much increased that sidewalks need to be finished out to M St. Otherwise, the city is created a dangerous situation.

Thank you for listening to my concerns. I understand that we must follow consistent code rules so developers can operate successfully and not be penalized. However, the city council must also respect the rights of current residents in regards to their properties and neighborhoods. We want to be a livable city. It is not the quantity of residences, but the quality of planning that is important.



Sara Holahan
1511 38th St.
Anacortes, WA 98221

Washington State Department of Ecology

Best Management Practices

BMP T5.14A: Rain Gardens

Purpose and

Definition

Land development projects may not be of sufficient size such that it is practical to construct engineered stormwater facilities for flow reduction and pollutant removal. However, the cumulative impact of smaller development projects on the natural hydrology and water quality of local waters can be significant. To reduce that cumulative impact, small projects (see Section 2.4 in Volume I) must implement on-site stormwater management BMP's (See Minimum Requirement #5 in Section 2.5 of Volume I). Rain gardens are an on-site stormwater management BMP that can provide effective removal of many stormwater pollutants, and provide reductions in stormwater runoff quantity and surface runoff flow rates.

Rain gardens are non-engineered, shallow, landscaped depressions with compost-amended soils and adapted plants. The depression ponds and temporarily stores stormwater runoff from adjacent areas. A portion of the influent stormwater passes through the amended soil profile and into the native soil beneath. Stormwater that exceeds the storage capacity is designed to overflow to an adjacent drainage system.

Applications and

Limitations

Rain gardens are an on-site stormwater management BMP option for projects that have to comply with Minimum Requirements #1 - #5, but not Minimum Requirements #6 - #9. For projects electing to use List #1 of Minimum Requirement #5, rain gardens are to be used to the extent feasible for runoff from roofs and other hard surfaces unless a higher priority BMP is feasible.

Infeasibility criteria for rain gardens are the same as for bioretention.

Please see Bioretention infeasibility criteria in BMP T7.30 of this Volume.

Although not required, Ecology recommends installation by a landscaping company with experience in rain garden construction.

Rain gardens constructed with imported compost materials should not be used within one-quarter mile of phosphorus-sensitive waterbodies.

Preliminary monitoring indicates that new rain gardens can add phosphorus to stormwater. Therefore, they should also not be used with an underdrain when the underdrain water would be routed to a phosphorus-sensitive receiving water.

Design

Guidelines

Refer to the Rain Garden Handbook for Western Washington (2013) for rain garden specifications and construction guidance.

For amending the native soil within the rain garden, Ecology recommends use of compost that meets the compost specification for bioretention (see BMP T7.30). Compost that includes biosolids or manures shall not be used.

For design on projects subject to Minimum Requirement #5, and choosing

to use List #1 of that requirement, rain gardens shall have a horizontally projected surface area below the overflow which is at least 5% of the total impervious surface area draining to it. If lawn/landscape area will also be draining to the rain garden, Ecology recommends that the rain garden's horizontally projected surface area below the overflow be increased by 2% of the lawn/landscape area.

Underdrains Ecology does not recommend the use of underdrains for rain gardens.

Design and construction of an underdrain system likely requires professional expertise. Where a municipality intends to require or allow underdrained rain gardens in areas with initial infiltration rates between 0.3 and 0.6 inches per hour, the invert of the underdrain shall be 6 inches above the bottom of the aggregate bedding for the underdrain. A larger distance between the underdrain and the bottom of the aggregate bedding is desirable, but cannot be used to trigger infeasibility due to inadequate vertical separation to the seasonal high water table, bedrock, or other impermeable layer.

Ecology recommends that the municipality establish standard design specifications and drawings.

Maintenance Please refer to the Rain Garden Handbook for Western Washington (2013) for tips on mulching, watering, weeding, pruning, and soil management. The "Western Washington Low Impact Development (LID) Operation and Maintenance (O&M) Guidance Document" may be consulted for more detailed guidance.

Bioretention:

BMP T5.14B: Bioretention

Purpose and

Definition

Bioretention areas are shallow landscaped depressions, with a designed soil mix and plants adapted to the local climate and soil moisture conditions, that receive stormwater from a contributing area.

Bioretention provides effective removal of many stormwater pollutants by passing stormwater through a soil profile that meets specified characteristics. Bioretention can also reduce stormwater runoff quantity and surface runoff flow rates significantly where the exfiltrate from the design soil is allowed to infiltrate into the surrounding native soils.

Bioretention can be used as a primary or supplemental detention/retention system. Where the native soils have low infiltration rates, underdrain systems can be installed and the facility used to filter pollutants and detain flows. However, designs utilizing underdrains provide less flow control benefits.

Applications and

Limitations

Bioretention facilities are an On-site BMP option for projects that only have to comply with Minimum Requirements #1 - #5. For projects electing to use Mandatory List #2 of Minimum Requirement #5, bioretention facilities are to be used to the extent feasible for runoff from roofs and other hard surfaces unless a higher priority BMP is feasible.

Use of bioretention can be restricted by site limitations. Please see Bioretention infeasibility criteria in BMP T7.30 of this Volume.

Design

Guidelines

Refer to BMP T7.30 in Chapter 7 of this Volume for detailed design guidelines.

For design on projects subject to Minimum Requirement #5, and choosing to use List #1 or List #2 of that requirement, a bioretention facility shall have a horizontally projected surface area below the overflow which is at least 5% of the total impervious surface area draining to it. If lawn/landscape area will also be draining to the bioretention facility, Ecology recommends that the bioretention facility's horizontally projected surface area below the overflow be increased by 2% of the lawn/landscape area.

Maintenance Refer to BMP T7.30 and Section 4.6 of this Volume for maintenance guidelines.

BMP T7.30: Bioretention Cells, Swales, and Planter Boxes

Purpose To provide effective removal of many stormwater pollutants, and provide reductions in stormwater runoff quantity and surface runoff flow rates.

Where the surrounding native soils have adequate infiltration rates, bioretention can help comply with flow control and treatment requirements. Where the native soils have low infiltration rates, underdrain systems can be installed and the facility used to filter pollutants and detain flows that exceed infiltration capacity of the surrounding soil. However, designs utilizing underdrains provide less flow control benefits.

Description Bioretention areas are shallow landscaped depressions, with a designed soil mix and plants adapted to the local climate and soil moisture

conditions, that receive stormwater from a contributing area.

The term, bioretention, is used to describe various designs using soil and plant complexes to manage stormwater. The following terminology is used in this manual:

- **Bioretention cells:** Shallow depressions with a designed planting soil mix and a variety of plant material, including trees, shrubs, grasses, and/or other herbaceous plants. Bioretention cells may or may not have an underdrain and are not designed as a conveyance system. (See Figure 7.4.1)
- **Bioretention swales:** Incorporate the same design features as bioretention cells; however, bioretention swales are designed as part of a system that can convey stormwater when maximum ponding depth is exceeded. Bioretention swales have relatively gentle side slopes and ponding depths that are typically 6 to 12 inches. (See Figure 7.4.1)
- **Bioretention planters and planter boxes:** Designed soil mix and a variety of plant material including trees, shrubs, grasses, and/or other herbaceous plants within a vertical walled container usually constructed from formed concrete, but could include other materials. Planter boxes are completely impervious and include a bottom (must include an underdrain). Planters have an open bottom and allow infiltration to the subgrade. These designs are often used in ultra-urban settings. (See Figure 7.4.2)

Volume V – Runoff Treatment BMPs – December 2014

7-7

Figure 7.4.2 Example of a Bioretention Planter

Volume

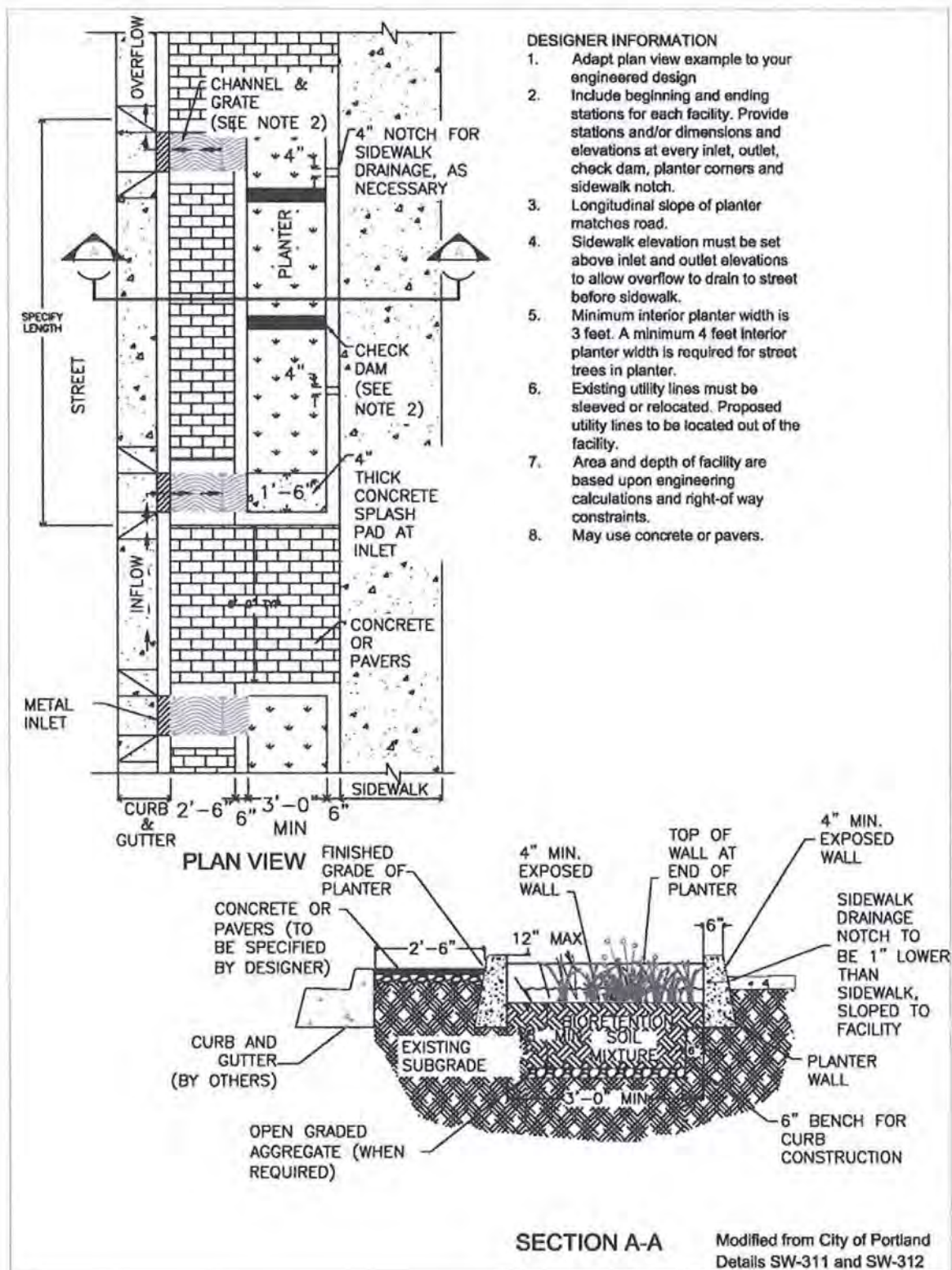


Figure 7.4.2 Example of a Bioretention Planter

May 6, 2016

Sean Kelly
1004 Commercial PMB 1108
Anacortes, Washington 98221

Anacortes City Council
904 - 6th Street
Anacortes, Washington 98221



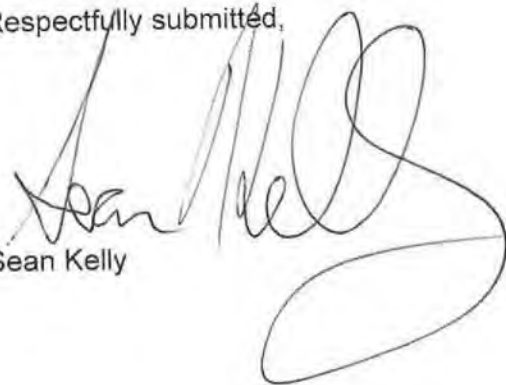
05-05-16 149 59 PAIN

Stall

Anacortes City Council Members:

Having reached a satisfactory agreement with Tom Allen regarding my items of concern with K Avenue, I hereby withdraw my appeal dated May 2, 2016 regarding the 38th Street Short Plat Findings of Fact, Conclusions of Law & Decision dated April 21, 2016 regarding the Tom Allen Short Plat Application SPL-2015-000.

Respectfully submitted,


Sean Kelly

KK

Whereas: Sean Kelly wishes Tom Allen to construct improvements to K Avenue that support his 38th Street short plat in a specified manner other than was originally contemplated by Tom Allen.

Whereas: Tom Allen wishes Sean Kelly to withdraw his appeal regarding the 38th Street short plat.

Therefore:

Tom Allen shall modify his current plans to construct a gravel drive in K Avenue adjacent to his proposed 38th Street Short Plat as follows:

- Provide a paved drive 12 feet in width to the south extent of lot #2. This drive will be constructed to city standards such that it can be extended at a later date.
- Centerline of the 12 feet drive shall be centered in the existing K Avenue R.O.W., unless agreed otherwise by the parties to this agreement.

Tom Allen shall also restrict the deeds of certain lots in the 38th Street Short Plat as follows and also indicate these restrictions on the short plat:

- Vehicular access to lots 1 and 9 from K Avenue shall be prohibited as well as any additional lot or lots created that abut K Avenue. The lot currently known as Lot 2 (1417 - 38th Street) is the only lot of the short plat that shall have vehicular access from K Avenue.
- If vehicular access to the lots mentioned in the previous paragraph is desired by the owners of those lots, they shall be required to extend the paved drive to the south extent of their property.

Sean Kelly shall withdraw his appeal to the Anacortes City Council regarding the 38th Street short plat prior to 5pm on Friday, May 6th 2016.

Agreed to this Friday May 6th, 2016 by:

Sean Kelly

Tom Allen



5/6/16

May 2, 2016

Sean Kelly
1004 Commercial PMB 1108
Anacortes, Washington 98221

Anacortes City Council
904 - 6th Street
Anacortes, Washington 98221

Anacortes City Council Members:

Please find below my appeal regarding the 38th Street Short Plat Findings of Fact, Conclusions of Law & Decision dated April 21, 2016 regarding the Tom Allen Short Plat Application SPL-2015-000.

Regarding the 38th Street Short Plat Findings of Fact, Conclusions of Law & Decision (hereafter referred to as "the document"):

I reside at 1501 - 38th Street in Anacortes, immediately west of the proposed short plat.

Concern was raised during the public comment period and noted in section V of the document regarding public comments received that K Avenue is substandard. Staff analysis indicates that "Any access from any lots within this subdivision onto K Avenue, will be required to construct K Avenue to meet City of Anacortes improvement requirements outlined in the AMC 16.32". In Section IX of the document regarding conditions of approval, item 14P, this requirement is stated as a condition of plat approval.

My concern is with lot #2 (1417 - 38th Street) of the proposed short plat where there is a residence that is to be retained. A permit has been issued (BLDG 2016-1210) for construction of a detached garage on that lot with access from K Avenue. The requirements of this permit as explained to me by City of Anacortes staff are that K Avenue only needs to be gravelled as a condition of this access. This permit was apparently issued some time prior to preliminary plat approval.

A reading of AMC 16.32 reveals that it deals with minimum road standards and minimum pavement width. There is no mention of gravel roads in AMC 16.32. In addition to not being up to code, a gravel street will create additional dust in the neighborhood and create a rock hazard while mowing as the gravel will infiltrate the adjacent lawn areas.

The narrative provided in the initial plat application indicates that lot #2 is to be accessed from 38th Street (Not K Avenue). When I asked Mr. Kevin Cricchio if Lot #2 would be accessed from 38th Street his reply was "Project will construct a driveway since the driveway cut is shown on the face of the drawings".

Lot #2 gets its improved street frontage on 38th Street via a "flag" as shown on the plat drawing. It can be seen on the drawing that the lot layout is very cramped and while the flag may get the residence the front yard setback technically required by AMC 17.36.060 as asserted by City of Anacortes staff, it leaves only 7.6' to the structure from substantially all the relevant south lot line of the lot immediately to the north, which is only 63.59' wide itself as shown on the plat drawing. In any event, it is a 38th street address, qualifies it's front yard setback using 38th street, has a driveway planned and platted from 38th Street. It should get its access from 38th street.



US-03-16 13:24 RCVD

Handwritten signature: Phil S. Kelly

Neighbors and other parties of record were assured by the document that their concerns regarding traffic on unimproved K Avenue were heard and addressed. The plat approval process should not permit "end runs" around plat requirements and prior permits should be re-evaluated against the current plat requirements. The fact of the matter is, there is a drawing of the proposed plat attached to the permit for the detached garage so it's pretty evident that permit was contemplated as a part of the larger goal of the subdivision.

I'm concerned that K Avenue is going to be used as an integral part of the short plat without proper improvements. The proposed use of K Avenue by lot #2 is just the start down the "slippery slope". Again the document provides us with the assurance that any access onto K Avenue will require street improvements to K Avenue per AMC 16.32. I would urge the City Council of Anacortes to amplify the requirements of the document so that there is no ambiguity as to what is required for access from K Avenue before approving the short plat.

Also, in the drawing attached to the document, the drawing of the short plat attached to the document indicates that Deskin Court is 157.98 feet long. This is in excess of the maximum length of 150' specified by the short cul-de-sac standard in AMC 16.32.020. It is my understanding that this is to be corrected in a revision to the short plat, however I think it best to get this problem into the record before the date to appeal passes.

In closing, I don't believe K Avenue should be used by this proposed subdivision unless the improvements are constructed to the standards set forth in AMC 16.32 as required by the document. The condition of approval in the document states that this requirement applies to ALL lots. If improvement of K Avenue is necessary to support this subdivision, then it should be done to the standards of AMC 16.32.

Respectfully submitted



Sean Kelly



LAND USE

DATE: April 21, 2016

TO: Parties of Record

FROM: Department of Planning, Community, & Economic Development

SUBJECT: SPL-2015-0006, 38th Street Short Plat,
Planning Director's Decision

To Whom It May Concern:

Please find the attached Planning Director's Decision on the subject short plat. You are receiving this document because you are identified as a party of record to the application.

If you have any questions, please contact Kevin Cricchio, Associate Planner, at (360) 630-6270 or by email at kevinc@cityofanacortes.org. Thank you.



NOTICE OF DECISION:

Request: Nine (9) Lot Short Plat

File Number: SPL-2015-0006

Project Location: The subject property is located on the south side of 38th Street between "M" Avenue and "J" Avenue within a portion of Section 25; Township 35 North; Range 01 East; Willamette Meridian.

Applicant/Contact: Tom Allen
P.O. Box 817
Anacortes, WA 98221

Date of Application: December 24, 2015

Complete Application: March 16, 2016

Comment Period Ended: March 31, 2016

Decision Date: April 21, 2016

Decision: Approval with conditions

SEPA Review: SEPA MDNS Issued

Public Hearing: A public hearing was not required for this project.

Appeals: Any party aggrieved by the decision of the administrator may appeal to the city council by filing a notice of appeal with the city clerk within fifteen days of the tentative approval, or disapproval, by the administrator. The appeal shall state the reason for the appeal and be signed by the party filing the appeal. (AMC § 16.08.040).

Inquiries regarding the application, decision and appeal process as well as requests to view documents pertinent to the proposal may be made at the Planning, Community & Economic Development Department at 904 6th Street, Anacortes, WA 98221 (Tel: 360-299-1969) during normal business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m.

For Project Information: Kevin Cricchio, Associate Planner; (360) 630-6270; Email: kevinc@cityofanacortes.org.

Appeals End: 5:00 PM on May 6, 2016



**38th STREET SHORT PLAT
FINDINGS OF FACT, CONCLUSIONS OF LAW,
& DECISION:**

DATE: April 21, 2016

PROJECT NAME: 38TH Street Short Plat

FILE NUMBER: SPL-2015-0006

**APPLICANT &
LANDOWNER:** Tom Allen
P.O. Box 817
Anacortes, WA 98221

PROJECT SURVEYOR: Parish Surveying
PO Box 314
Lopez Island, WA 98261

PROJECT ENGINEER: John Ravnik
Ravnik & Associates
PO Box 361
Burlington, WA 98233

PROJECT PLANNER: Kevin Cricchio, AICP
Associate Planner
City of Anacortes
904 6th Street
Anacortes, WA 98221

SUBJECT PROPOSAL: 9 Lot Short Plat

PROJECT LOCATION: The subject property is located on the south side of 38th Street
between "M" Avenue and "J" Avenue within a portion of Section
25; Township 35 North; Range 01 East; Willamette Meridian.

SUBJECT PARCELS: P32057, P32056, & P32055

SITE ADDRESSING:

Lot Addresses:	
Lot 1:	3814 Deskin Court
Lot 2:	3808 Deskin Court <u>or</u> 1417 38 th Street
Lot 3:	3804 Deskin Court <u>or</u> 1413 38 th Street
Lot 4:	3803 Deskin Court <u>or</u> 1409 38 th Street
Lot 5:	1411 38 th Street
Lot 6:	3813 Deskin Court
Lot 7:	3817 Deskin Court
Lot 8:	3819 Deskin Court
Lot 9:	3818 Deskin Court

INSUFFICIENT SETBACK FOR DESKIN CT

CURRENT ZONING: Residential (R2) Zoning District**COMP PLAN****DESIGNATION:** Residential Low Density**SURROUNDING ZONING & LAND USES:**

Direction:	Zoning:	Land Uses:
North:	Residential (R2) Zoning District	Single-Family Residential
South:	Residential (R2) Zoning District	Single-Family Residential
East:	Residential (R2) Zoning District	Single-Family Residential
West:	Residential (R2) Zoning District	Single-Family Residential

LOT SQUARE FOOTAGE & ACREAGE:

Net Square Footage	85,451 square feet	Net Acreage	1.96 Acres
Gross Square Footage	100,767.93 square feet which includes 15,316.93 SQ' of ½ the abutting ROW + NSF above.	Gross Acreage	2.31 Acres

MAXIMUM DENSITY:

1. The maximum permitted density in the R2 Zoning District is four (4) dwelling units per gross acre pursuant to AMC 17.36.070.
2. 2.31 Gross Acres multiplied (X) by 4 dwelling units per gross acre equals (=) 9.24 dwelling units permitted by code. The applicant proposes a project density of 3.9 dwelling units per gross acre (9 DU/ 2.31 Gross Acre).
3. The applicant has applied for nine (9) dwelling units /lots as part of the subject short plat application.

4. The applicant has complied with the maximum permitted density for the R2 Zoning District.

MINIMUM LOT SIZE:

1. The minimum lot size for lots created in the R2 Zoning District is 7,500 square feet per lot pursuant to AMC 17.36.050.
2. Each of the nine (9) lots that the applicant proposes as part of the subject short plat will comply with the zone's minimum lot size requirement.

UTILITIES:

- **Potable Water:** City of Anacortes
- **Sanitary Sewer:** City of Anacortes
- **Storm-water:** Bio-infiltration Swale /Raingarden
- **Garbage:** City of Anacortes

FIRE PROTECTION:

- City of Anacortes

POLICE PROTECTION:

- City of Anacortes

FINDINGS OF FACT:

I. NATURE OF APPLICATION:

A. Site Location/Description:

1. The subject property consists of three (3) Skagit County Assessor parcel numbers as listed above. Three (3) single-family residences used to reside on the project site. One (1) residence was recently demolished leaving two (2) that remain. The applicant wishes to retain these two (2) residences as part of the proposed nine (9) lot short plat.
2. The site is relatively flat and moderately treed. Those trees designated for retention are shown on the Tree Preservation Plan (See Exhibit 6).

B. Cut & Fill:

1. Within the property: The proposed cut includes approximately 763 cubic yards to be stock piled for common lot fill around the site, but not under, structures. Additionally, approximately 150 cubic yards will be excavated for the construction of the proposed infiltration system, which could potentially be used to fill the proposed residential lots.
2. Within the alignment of proposed roads: The proposed cut and fill are approximately 450 cubic yards and 350 cubic yards, respectively.

C. Request:

1. The applicant has applied for a short plat to create nine (9) lots from the subject property that is 2.31 gross acres in area.
2. Each of the nine proposed lots meet or exceed the 7,500 minimum lot size for the R2 Zone.
3. According to AMC 17.36.020, single-family dwellings are permitted outright in the R2 Zoning District.

D. Project Chronology/Background:

1. On August 25, 2015, a pre-application conference /DRG meeting was held by staff with the applicant concerning the subject short plat.
2. On December 24, 2015, the applicant/landowner submitted the subject short plat application to the City of Anacortes' Planning Department for review.
3. The subject application was deemed incomplete on January 20, 2016. Additional revisions were requested in the letter of incomplete.
4. On March 3, 2016, revisions were submitted by the applicant to the city for review.
5. Following a review of the revisions submitted, the subject short plat was deemed complete on March 16, 2016.
6. The 15-day public comment period for the subject short plat ended at 5:00 PM on March 31, 2016.

E. Notice of Application:

1. A Notice of Application with Optional SEPA DNS was published in the Anacortes American Newspaper on March 16, 2016.
2. This notice was also posted on the subject property in two (2) different locations on March 11, 2016.
3. Notice was also posted at the library, city hall, the local USPS office, and on the city's website on March 11, 2016.
4. Neighboring landowners of property within 300-feet of the subject property were mailed the Notice of Application on March 11, 2016.
5. Departments and agencies of jurisdiction were also solicited for comment on March 12, 2016.
6. The 15-day public comment period ended at 5:00 PM on March 31, 2016.

F. Critical Areas:

1. No known critical areas are located either on or within 300 feet proximity to the subject property.

G. Tree Preservation:

1. According to AMC 16.50.050, a tree preservation plan is required as part of a short plat application. Accordingly, the applicant had Urban Forestry Services of Mount Vernon, Washington, prepare a tree preservation plan dated February 25, 2016.
2. According to this report (See Exhibit 6), there are a total of fifty-eight (58) significant trees located on the project site of which the applicant proposes to retain a total of twenty-one (21) significant trees.
3. Since the subject property is 85,451 net square feet in area, the developer is required to have a minimum of eight-six (86) tree unit credits. The twenty-one (21) trees that the applicant wishes to retain add up to ninety-eight (98) tree unit credits. Therefore, conformance with AMC Chapter 16.50 has been met.

H. SEPA Environmental Review:

1. The creation of five (5) lots or more via a short plat requires SEPA environmental review pursuant to AMC § 16.080.010.
2. Notice of Application with Optional SEPA DNS was run concurrent with the Notice of Application as discussed above.
3. On March 14, 2016, the Notice of Application with Optional SEPA DNS, application material, and site plan(s) associated with a proposed 9 lot short plat was emailed to the SEPA register for posting.
4. On April 21, 2016, a SEPA MDNS was issued.
5. The SEPA MDNS was emailed to the SEPA Register on April 21, 2016, for posting onto the SEPA Register.

I. Transportation:

1. The site will be accessed by a new public road off of 38th Street which is designated as a local residential street.

II. CONSISTENCY WITH AMC TITLE 16, SUBDIVISIONS:

A. AMC Chapter 16.08, Short Subdivisions and Short Plats:

The administrative official (Director of Planning, Community and Economic Development) or his or her designee is granted the authority to approve or disapprove proposed short plat /subdivisions in accordance with Anacortes Municipal Code (AMC) Title 16.

STAFF ANALYSIS:

The applicant has submitted all necessary application materials as outlined in this section and proper notice was given pursuant to AMC § 16.08.031.

AMC § 16.08.032 requires that short subdivisions comply with development standards for standard subdivisions (Chapter 16.20, Design and Improvement Standards). Consistency with these standards is discussed below.

B. AMC Chapter 16.20, Design and Improvement Standards:

AMC § 16.20.010 requires that the design and development of subdivisions preserve the natural terrain, vegetation, drainage patterns and existing topsoil to the greatest extent possible.

STAFF ANALYSIS:

As discussed earlier, the site's topography is relatively flat. The steepest slope on the property is 8-10%. However, the majority of the site slopes gradually downhill at 5-6% to the northeast. Elevations range from 238 to 219 feet above sea level.

Twenty-one (21) out of fifty-eight (58) significant trees that are located onsite are proposed for retention. The two residences that exist today are slated for retention on Lot 2 and Lot 5 of the subject short plat.

Any stormwater generated onsite will be conveyed to a ninety-five (95) foot by two (2) foot wide bio-infiltration swale/raingarden that runs east to west along 38th Street north of lots 4 and 5.

AMC § 16.20.020 contains standards for development of land found to be unsuitable for subdivision due to potential hazards.

STAFF ANALYSIS:

The site's topography is relatively flat. According to the applicant's Geotechnical & Infiltration Assessment prepared by MTC, the steepest slope on the property is 8-10%. However, the majority of the site slopes gradually downhill at 5-6% to the northeast. No geotechnical hazards exist either on the subject property or within close proximity to it.

AMC § 16.20.030 contains standards for design of engineering plans for public improvements and other subdivision elements.

STAFF ANALYSIS:

Public improvements as conditioned below will be in place prior to final short plat approval.

AMC § 16.20.040 and .050 contain standards for lot and block configuration.

STAFF ANALYSIS:

According to AMC 16.20.040(C), each lot is required to abut either a public or private road with lot frontage that is not less than thirty (30) feet. Accordingly, both the new cul-de-sac right-of-way constructed as part of the subject short plat and existing 38th Street will provide the minimum required lot frontage to either a public/private road. All other standards listed in AMC 16.20.040 and 16.20.050 will be met.

AMC § 16.20.060 contains standards for street design and construction.

STAFF ANALYSIS:

As required by the Public Works Department and conditioned below, street and road improvements will be in place prior to final short plat approval.

AMC § 16.20.070 contains standards for grading and drainage.

STAFF ANALYSIS:

The applicant submitted a geotechnical and infiltration assessment prepared by Materials Testing and Consulting, Inc. (MTC), and drainage plan as part of their short plat submittal.

Additionally, the applicant will be required to provide plans addressing stormwater, grading, and drainage, as required by the Public Works and Building Departments, prior to site construction activities or building permit application approval.

AMC § 16.20.080 and .090 contain standards for utilities and easements.

STAFF ANALYSIS:

On the plans submitted, a fifteen (15) foot wide sidewalk and utility easement is shown around the perimeter of the new cul-de-sac/right-of-way. Additionally, a five (5) foot wide sidewalk is proposed within the city's right-of-way fronting the subject property adjacent to 38th Street

AMC § 16.20.110 contains standards for landscaping.

STAFF ANALYSIS:

A landscape plan was submitted with the subject short plat application. The landscape plan shows a fifteen (15) foot wide planting strip with trees planted at an average of thirty (30) feet apart as is required pursuant to AMC 17.41.020(D)(2) and 17.41.020(D) respectively.

Additionally, AMC 16.20.110(A) requires that each new subdivision set aside twenty (20) percent of the gross site area for landscaping. As conditioned below, the applicant/landowner will be required to submit a revised landscape plan at time of building permit submittal following final short plat approval which shows how conformance with this requirement has been met for each of the 9 lots that comprise the subject short plat.

AMC 16.20.110(B) also requires that the applicant submit a tree preservation plan. As was discussed above, the applicant has met this requirement. According to the tree preservation plan, the minimum number of tree unit credits required for the site has also been exceeded by those trees shown in the plan proposed for retention.

C. AMC Chapter 16.32, Road Standards:

AMC Chapter 16.32 regulates the minimum standards for roads within the City of Anacortes.

AMC 16.32.020 establishes the minimum sidewalk widths based on the underlying zoning district.

STAFF ANALYSIS:

According to AMC 16.32.020, the minimum width for a sidewalk in the R2 Zoning District is five (5) feet. According to the applicants short plat map a five (5) foot wide sidewalk is proposed within a fifteen (15) foot wide sidewalk and utility easement around perimeter of new cul-de-sac/road right-of-way. Additionally, a five (5) foot wide sidewalk is proposed within the city's right-of-way fronting the subject property adjacent to 38th Street. Conformance with AMC 16.32.020 has been met.

AMC 16.32.020 also establishes the Short Cul-de-sac Standards for the City of Anacortes.

STAFF ANALYSIS:

According to AMC 16.32.020, a public road not more than one hundred fifty feet (150) in length and serving not more than six (6) residential building sites, and with no reasonable possibility of extension can be built to these standards. Accordingly, the applicant wishes to develop the subject short plat using the Short Cul-de-sac standards. Although the subject short plat is nine (9) lots, only six (6) of the nine (9) lots will be served by the cul-de-sac as lots 1, 3, & 5, will be served by 38th Street.

III. PROJECT CONSISTENCY WITH APPLICABLE ZONING REGULATIONS:

A. AMC Chapter 17.05, Concurrency:

Prior to approval of any non-exempt development, the city must find that public facilities and services necessary to support development are adequate to serve the development without decreasing levels below adopted minimum standards. The Public Works Director has confirmed that, as conditioned, the level of service for transportation, water, and sewer can be provided for this proposal, either with existing infrastructure, or that within the capital facilities plan, financed by system development charges.

Additionally, the City has adopted impact fees for transportation, park, and fire facility improvements which adequately address the development's impacts on these facilities. Based on review of the Anacortes School District Facilities Study, 1990, the City has concluded that existing and rehabilitated school facilities are sufficient to accommodate growth resulting from this development.

B. AMC Chapter 17.36, Residential (R2) Zoning District:

The objective and intent of the R2 district is to maintain and create an environment which meets the standards for single-family residential development, by restricting uses within the district, and by requiring a minimum lot size and maximum density. Single-family residential land uses are permitted in the R2 Zoning District per AMC 17.36.030. Additionally, as discussed above conformance with the maximum permitted density and minimum lot size for each of the proposed nine (9) lots has been met as is required per AMC 17.36.070 and 17.36.050 respectively.

Conformance with the maximum permitted building height, setbacks from property lines, and off-street parking required will be reviewed prior to issuance of any building permit for each of the respective lots once an application is submitted following final short plat approval is given.

C. Chapter 17.41 AMC, Landscaping:

Pursuant to AMC § 17.41.020(G), short plats /subdivisions in the R2 Zoning District are required to have a minimum of twenty (20) percent of the gross site landscaped. Conformance with this requirement will be reviewed at time of building permit application submittal prior to issuance.

D. Chapter 17.46 AMC, Parking:

Pursuant to AMC 17.46.020 and 16.32.020(D), two (2) off-street parking spaces are required for each residence in addition to garages. Conformance with the requirement will be reviewed at time of building permit application submittal prior to issuance.

IV. PROJECT CONSISTENCY WITH 2012 COMPREHENSIVE PLAN:

The 2012, City of Anacortes Comprehensive Plan designates the project site as Residential Low Density. The goals and policies outlined in the Comprehensive Plan are intended to provide guidance for both public and private decision makers in future growth and development of the City. Development goals and policies pertinent to the subject shore plat and subsequent vacation rental development are listed below.

GENERAL CITY GOALS:

Goal #3:

Promote a compatible land uses and improve visual appearance in each and every zoning district

STAFF ANALYSIS:

The subject short plat involves the creation of nine (9) lots from the parent parcel. The project site is located in the R2 Zoning District and is surrounded by single-family residences. As conditioned below, the subject short plat and subsequent development of each lot will be compatible in use and visual appearance as required according to AMC Chapter 17.36.

TRANSPORTATION /CIRCULATION:

Goal #5:

"Develop the city as a pedestrian friendly community and improve non-motorized pedestrian circulation."

STAFF ANALYSIS:

As conditioned below, the development will provide improvements onsite that address both pedestrian circulation and connectivity. A five (5) foot wide sidewalk is required around perimeter of new cul-de-sac road right-of-way and adjacent to 38th Street.

Goal #6:

"Encourage a physically active community by allowing people of all ages to incorporate physical activity into their daily lives by walking, bicycling, exercising and using public transit as a part of everyday living."

STAFF ANALYSIS:

The improvements conditioned below will improve neighborhood pedestrian connectivity while encouraging physical activity of all ages.

Goal #7:

"Require adequate off-street parking in all zones."

STAFF ANALYSIS:

As conditioned below, off-street parking requirements will be reviewed for conformance with AMC Chapter 17.46 & 16.32.020(D) before issuance of building permit.

V. PUBLIC COMMENTS RECEIVED:

During the 15-day comment period associated with the subject short plat, PCED received several public comments (See Exhibit #3).

The comments received expressed several concerns as is summarized below. A staff analysis follows each concern expressed. The concerns expressed and staff analysis is as follows:

CONCERN EXPRESSED:	STAFF ANALYSIS:
1. Perceived safety issue with substandard 38 th street; no sidewalks, not paved to designated width, parking is in driving lane	Street improvements along the project frontage of 38th Street and around the perimeter of the new cul-de-sac road right-of-way are required to include curb, gutter and a five foot wide sidewalk per AMC 16.32.020. Improvements along 38th Street shall terminate where reasonable and practicable to provide a smooth transition with existing improvements both laterally across the street and longitudinally up and down the street for drainage, vehicular and pedestrian traffic. Two off-street parking spaces are required for each residence constructed on the 9 lots per AMC 17.46.020. Conformance with this requirement will be verified at time of building permit application submittal.

2.	Drainage is not being adequately handled and future drainage problems need to be addressed	The applicant submitted a Geotechnical & Infiltration Assessment prepared by MTC dated December 10, 2015. MTC performed an infiltration assessment for the proposed bio-infiltration /raingarden proposed adjacent to 38th Street north of lots 4 & 5. A Large Parcel Storm Water Plan and Water Quality Plan consistent with City requirements is required to be submitted by the applicant for review and approval by the Planning/Building and Public Works Departments prior to any construction activities taking place on or off site.
3.	The drainage plan is inadequate	The developer will be required to provide suitable drainage facilities for any surface run-off affecting the subdivision. The developer will also be required to make downstream improvements where necessary to avoid problems related to increases in stormwater run-off associated with the development. This is stated in the AMC 16.20.070. Additionally, storm water conveyance both on-site and off-site will be required to comply with City Storm drainage requirements consistent with the Department of Ecology's NPDES Permit.
4.	Development run-off should be handled by running all water into a pipe starting at K Avenue and 38 th street that runs down to M Avenue.	See response #3 above.
5.	Run-off should not be drained towards other residential property	Stormwater generated onsite will be conveyed to the bio-infiltration swale /raingarden located adjacent to 38 th Street.
6.	The Department of Ecology should comment on how the developers should be filtering runoff.	Construction activities may require an NPDES (National Pollutant Discharge Elimination System) Construction Storm Water Discharge Permit issued by the Department of Ecology prior to any construction activities taking place on or off-site. Additionally, the subject proposal must meet City of Anacortes /Department of Ecology stormwater requirements.

7.	All runoff should first be filtered through a swale before draining	The constructed bioinfiltration swale /rain garden will treat stormwater quality and quantity. MTC's Geotechnical & Infiltration Assessment analyzed surface and subsurface soil infiltration characteristics. Stormwater generated onsite will be required to comply with both city and state requirements.
8.	One or two of the proposed lots should be converted to a biological control of surface water to protect the ecosystem of Fidalgo Bay.	Anacortes Municipal Code does not require that one or two lots of a proposed development be converted to a "biological control of surface water" to protect the adjacent ecosystem.
9.	Safety issue with driveway location	The Public Works Department will review all building permit applications submitted concerning the location of driveways/ access for conformance with STR-28 of the Engineering Standards.
10.	K Avenue is substandard	Any access from any lots within this subdivision onto K Avenue, will be required to construct K Avenue to meet City of Anacortes improvement requirements outlined in the AMC 16.32.
11.	A traffic study should be completed	According to the Public Works Department's Engineering Standards STR-30, the subject development is considered a level one residential development and does not trigger a Traffic Impact Analysis/Study.
12.	Safety issue with traffic volumes	See response #11 above concerning that no Traffic Impact Analysis/Study was required by the Public Works Department. However, a five (5) foot wide sidewalk along 38 th Street adjacent to the project site and internally along the perimeter of the new cul-de-sac road right-of-way will improve pedestrian connectivity and safety to the surrounding neighborhood and residents.
13.	Fire engines and emergency vehicles do not have enough space or access	Development will meet road size requirements and fire apparatus access requirements per AMC 16.32.020.

14.	The development has too high of a density	Conformance with the maximum density of 4 dwelling units per gross acre has been met for the R2 Zone as discussed above. Nine lots are permitted and nine lots are proposed.
15.	Guest parking would overflow onto 38 th street	Per AMC 17.46.020, two off-street parking spaces per residence are required. Conformance with this requirement will be reviewed at time of building permit application submittal. Additionally, per AMC 16.32.020, two off-street parking spaces will be provided for each dwelling unit in addition to garages.
16.	The development goes against requirements for a "short cul-de-sac," (It is a public road more than 150' and will serve more than six residential building sites, the roadway is longer than allowed by city code 160.23.020 (meant 16.32.020?))	The subject short plat complies with the short cul-de-sac standards per AMC 16.32.020. The proposed cul-de-sac is not more than one hundred and fifty (150) feet in length. Second, pedestrian facilities will be five (5) feet wide along the perimeter of the cul-de-sac and along 38 th Street adjacent to the project site. Road width will not be less than twenty-four feet from curb to curb with a minimum of eighty (80) foot diameter cul-de-sac. Lastly, the cul-de-sac will not serve more than six (6) of the proposed nine (9) lots within the short plat as lots 1, 3, and 5 will be served by 38 th Street.
17.	Setbacks Requirement	Setback requirements for each of the 7 residences to be constructed will be reviewed for conformance with AMC 17.36.060 at time of building permit application submittal. Additionally, the 2 residences slated for retention as shown on the short plat map have been determined to comply with the R2 Zoning District setback standards per AMC 17.36.060.
18.	38 th street should be kept clean during construction of houses and streets.	As conditioned below, the applicant/landowner will be required to keep 38 th Street adjacent to the subject property clean and free of all debris and dirt associated with construction activities.
19.	How will homes be accessed on 38 th street?	Lots 1, 3, and 5 will gain access off of 38 th Street while ingress and egress for all other lots is from the new cul-de-sac road right-of-way.

		According to Sheet 3 of 3 of the applicant's plans, an ingress, egress, and utility easement over a portion of Lot 2 for the benefit of Lot 3 is proposed.
20.	Fences should be constructed along the perimeters of the lots.	The applicant /landowner will determine if fencing is feasible and/or warranted as part of the subject short plat.
21.	The comment period is insufficiently short. There was not a 30 day notice	The comment period for short plats is fifteen (15) days per AMC 16.08.031. Shoreline permits require a thirty (30) day comment period.
22.	The environmental study and mitigation plan is not detailed enough	After reviewing the city's critical area maps along with the applicant's SEPA environmental checklist and associated application material, an Environmental Impact Study (EIS) was <u>not</u> required. The city however did issue a SEPA Mitigated Determination of Non-Significance (MDNS) as is discussed above. Mitigation measures were used to mitigate any environmental impacts.
23.	The geotechnical review is inadequate	The applicant submitted a Geotechnical & Infiltration Assessment prepared by MTC dated December 10, 2015. MTC performed an infiltration assessment for the proposed bio-infiltration /raingarden proposed adjacent to 38th Street north of lots 4 & 5. The Public Works Department reviewed MTC's report for conformance with both city and the State of Washington's Department of Ecology requirements associated with stormwater. Additionally, a Large Parcel Storm Water Plan and Water Quality Plan consistent with City requirements will be required to be submitted by the applicant for review and approval by the Planning/Building and Public Works Departments prior to any construction activities taking place on or off site.

VI. DEPARTMENTS & AGENCIES OF JURISDICTION COMMENTS RECEIVED:

During the 15-day comment period, several comments were received from departments and agencies of jurisdiction (See Exhibit #4). Agency and department comments have been made conditions of approval as listed below.

VII. CONCLUSIONS OF LAW - APPROVAL CRITERIA:

Pursuant to AMC § 16.08.030.B, if the administrator finds that the proposed short plat is consistent with the Comprehensive Plan; SEPA requirements, and zoning requirements for the underlying zoning district, and that there is adequate provision for drainage, sewage disposal, water supply and access for each lot, that requirements of this title are met, and the short plat would not landlock other parcels he or she shall approve the application.

CONCLUSION:

Based on the above analysis, and as conditioned, the short subdivision application is consistent with the plans, documents, and criteria outlined in AMC § 16.08.030(B).

RCW § 58.17.060 provides the following criteria for approval of a subdivision:

- (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that will assure safe walking conditions for students who only walk to and from school;
- (b) The public use and interest will be served by the platting of such subdivision.

CONCLUSION:

As discussed above and conditioned below, provisions are made for the public health, safety, and general welfare for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that will assure safe walking conditions for students who only walk to and from school;

The City has designated the property for Residential Low Density in the Land Use Element of the Anacortes Comprehensive Plan and zoned the site Residential (R2), indicating there is a public need.

It serves the public interest to develop the property as is proposed and in conformance with the Anacortes Municipal Code land use and zoning standards. The standards of the City's subdivision ordinance are additional city standards for that meet the public use and interest in the City. The proposed short plat as conditioned conforms to all of these standards. Additionally, the proposed short plat as conditioned meets the minimum requirements of the Anacortes

Municipal Code, which are designated as the official standards for public health, safety and general welfare.

VIII. DECISION:

Based on the foregoing Findings of Facts and Conclusions of Law, the Subdivision Administrator hereby grants approval of the proposed nine (9) lot short plat, subject to the conditions of approval as listed below.

IX. CONDITIONS OF APPROVAL:

1. Preliminary short plat /subdivision approval authorizes the applicant to proceed with application for necessary permits to construct required improvements and to prepare construction drawings in accordance with the determinations made and conditions imposed. The scope of this permit is not to exceed that as set out in the short plat /subdivision application and preliminary short plat map.
2. The lots in this short subdivision are subject to applicable water, sewer, and stormwater general facility and hookup fees and transportation, fire, and park impact fees. These fees are payable at levels in effect at the time of building permit issuance and may differ from those fee levels currently in effect; sewer and water latecomer charges may be payable. A note to this effect shall be recorded on the final short plat map.
3. Grading shall not adversely impact adjacent properties.
4. Provide a Traffic Control Plan (Current MUTCD Manual) prior to any construction taking place in the public right-of-way for approval by the City of Anacortes' Public Works Department.
5. Pursuant to AMC § 16.08.081, a note shall be placed on the final short plat that states:
*"All short subdivisions when approved and prior to recording shall contain the following: Treasurer's Certificate: I certify that all taxes heretofore levied and which have become a lien upon the lands described above have been fully paid and discharged according to the records of my office up to and including the year (current year).
Certified this _____ day of _____, 20____"*
6. Pursuant to AMC § 16.08.080, a note shall be placed on the final short plat that states:
"Land contained within a short subdivision may not be further divided in any manner within a period of five years from date of approval without filing a standard plat."
7. Before final short plat submittal or approval is given, a note shall be added to sheet 1 of the final short plat that states:

ZONING INFORMATION:

Underlying Zone:	Residential (R2) Zoning District
Net Acreage:	85,451 Net Square Feet (1.96 Acres)
Gross Acreage:	100,767.93 Gross Square Feet (2.31 Acres) including ½ abutting ROW
Zone Max Density:	4 Dwelling Units per Gross Acre

Density Calculation: The applicant proposes 3.9 dwelling units per gross acre (9 dwelling units divided by 2.31 gross acres). 2.31 Gross Acres multiplied by 4 dwelling units per gross acre = 9 lots

Lots Proposed: 9 Lots

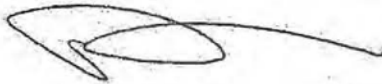
8. At time of building permit application submittal, a landscape plan shall be included that shows how conformance with AMC Chapter 17.41 is being met. Twenty (20) percent of gross site area shall be landscaped per AMC 17.41.020(G).
9. At time of building permit application submittal, a parking plan shall be included that shows how conformance with AMC Chapter 17.46 is being met.
10. Pursuant to RCW 58.17.140(3), a final short plat meeting all of this requirements of this chapter shall be submitted to the City of Anacortes Planning Department for approval within five (5) years from the date of preliminary approval listed below. Notwithstanding, the preliminary short plat approval becomes null and void.
11. Before final short plat submittal or approval, the land surveyor shall place the respective property corners of the subject property.
12. Before final short plat submittal or approval is given, the applicant shall obtain a demolition permit and demolish the three (3) structures shown on the subject short plat slated for removal.
13. Before final short plat submittal or approval is given, a note shall be added to the face of the short plat that states "A maximum of six (6) lots shall access off of the cul-de-sac."
14. Development shall comply with the City of Anacortes's Public Works Department including but not limited to:
 - A. Project shall meet the requirement of the Short Cul-de-Sac Design as outlined in the Anacortes Municipal Code 16.32.020, including the not more than one hundred and fifty feet in length.
 - B. A clearing and grading plan consistent with City requirements shall be submitted by the applicant for review and approval by the City of Anacortes Planning\Building and Public Works Departments prior to any construction activities taking place on or off-site. Prior to any clearing\fill\grade work beginning, construction civil plans consistent with the City of Anacortes Engineering Development Standards, including but not limited to, Clearing and Grading Plan, Erosion Control Plan, Site utility\Infrastructure improvements Plan, Roadway Improvements Plan, Signage Plan, Street Lighting Plan and other plans and/or information required by the City Planning\Building and Public Works Departments shall be submitted for review and approval.
 - C. A Large Parcel Storm Water Plan and Water Quality Control Plan consistent with City requirements shall be submitted by the applicant for review and approval by the Planning\Building and Public Works Departments prior to any construction activities taking place on or off-site.
 - D. Construction activities may require an NPDES Construction Storm Water Discharge Permit issued by the Department of Ecology prior to any construction activities taking place on or off-site.

- E. Any encroachments into the easements by the adjacent properties shall be required to apply for an encroachment agreement (AMC – Chapter 12.30) from the City of Anacortes Public Works Department.
- F. All public utilities shall have vehicular access, including but not limited to: 1) A 12-foot minimum width access road (STR-12) with an approved all-weather surface asphalt road, or other approved Low Impact Development Best Management Practice design, 2) meeting the minimum structural requirements (STR-15.2) for Access Road approved by the City of Anacortes.
- G. Pursuant to AMC 16.20.060, street lighting is required. Street lighting shall be LED and shall limit glare and/or emission of light downward to the street and front yard areas. Street lighting will be installed per PSE Schedule 53, Option "B". Lighting fixtures and design shall be approved by the Public Works Director. Shields may be necessary to reduce impacts to adjacent properties.
- H. Mailbox locations shall be reviewed and approved by the City of Anacortes Public Works Department and the U.S. Postal Service.
- I. Sanitation, recycling and compost collection will be at curb side of each parcel serviced.
- J. Utilities, as identified in Anacortes Municipal Code 16.20.080 are required to be extended and to serve the development.
- K. Engineering and Inspection fees in the amount of \$500.00, plus 2% of the total estimated construction cost shall be due upon civil plan approval. No construction activity is allowed until the construction plans are approved, all fees have been paid and a preconstruction conference held.
- L. Prior to the final plat approval, all infrastructure improvements shall be completed as required by the City of Anacortes Public Works Director and a 2-year Maintenance Bond in place. The 2-year Maintenance Bond is 10% of the actual construction cost.
- M. Storm-water conveyance both on-site and off-site shall comply with City Storm drainage requirements.
- N. The developer shall provide suitable drainage facilities for any surface run-off affecting the subdivision, per Anacortes Municipal Code 16.20.070.
- O. Street improvement requirements along 38th Street shall be constructed along the frontage of 38th Street, to include curb/gutter and sidewalk and roadway widening and storm drainage work. The improvements shall terminate where reasonable and practicable to provide a smooth transition with existing improvements both laterally across the street and longitudinally up and down the street for drainage, vehicular and pedestrian traffic.
- P. Any access from any lots within this subdivision onto K Avenue, will be required to construct K Avenue to meet City of Anacortes improvements requirements outlined in the Anacortes Municipal Code 16.32.

15. Development shall comply with the issued SEPA Mitigated Determination of Non-Significance as follows:

- A. All required permits shall be secured before any construction activities begin onsite (Mitigation Measure #1).
- B. Those twenty-one (21) trees designated for retention on the submitted tree preservation plan shall be protected before and during site development and construction through adherence to AMC § 16.50.100. Chain link fencing (or other sturdy construction fencing) shall be erected along the drip line (plus 6 feet) of each of the trees designated for retention on the plan (Mitigation Measure #2).
- C. Before any site development or construction activities occur on the subject property the applicant shall contact the Department of Planning, Community, and Economic Development to arrange a tree fence inspection (Mitigation Measure #3).
- D. As directed by the Public Works &/or Planning/Building Departments, the applicant/landowner shall be responsible to sweep as needed 38th Street adjacent to the subject property and assure all mud and debris associated with construction activities is removed (Mitigation Measure #4).

Nothing in the permit/approval shall excuse the applicant, owner, lessee, agent, successor or assigns from full compliance with any other federal, state, or local statutes, ordinances or regulations applicable to this project. In particular, no clearing, grading, filling, construction or other physical alteration of the site may be undertaken prior to the issuance of the necessary permits for such activities.



Don Measamer, Planning Director
& Subdivision Administrator

April 21, 2016

Date Signed

APPEALS:

Any party aggrieved by the decision of the Administrator may appeal to the City Council by filing a notice of appeal with the City Clerk within fifteen (15) days of the tentative approval or disapproval by the Administrator. The appeal shall state the reason for the appeal and be signed by the party filing the appeal (AMC § 16.08.040).

EXHIBITS:

EXHIBIT NUMBER:	NAME OF EXHIBIT:
Exhibit #1	Master Permit Application & Narrative
Exhibit #2	Notice of Application With Optional SEPA DNS
Exhibit #3	Public Comments Received
Exhibit #4	Agency & Department Comments Received
Exhibit #5	Site Pictures
Exhibit #6	Tree Preservation Plan
Exhibit #7	Site Plan
Exhibit #8	SEPA MDNS



Anacortes Planning, Community & Economic Development Dept.

Permit Center

P.O. Box 547, Anacortes, WA 98221-0547

Don Measamer, *Director of Planning, Community and Economic Development*

PH (360) 293-1907

FAX (360) 293-1938

STATE ENVIRONMENTAL POLICY ACT (SEPA)
Mitigated Determination of Non-Significance (MDNS)

PROJECT NAME:

38th Street Short Plat

FILE NUMBER:

SPL-2015-0006

APPLICANT:

Tom Allen
Allen Family Investments, LLC
P.O. Box 817
Anacortes, WA 98221

LANDOWNER:

Tom Allen
Allen Family Investments, LLC
P.O. Box 817
Anacortes, WA 98221

AGENT:

John Ravnik
Ravnik & Associates
P.O. Box 361
Anacortes, WA 98221

PROJECT SURVEYOR:

Parish Land Surveying
P.O. Box 314
Lopez Island, WA 98261

PROJECT PLANNER:

Kevin Cricchio, AICP
Associate Planner
City of Anacortes
904 6th Street
Anacortes, WA 98221

SUBJECT PROPOSAL:

Nine (9) lot short plat of the subject property.

PERMITS REQUIRED:

The following permits /approval may be required in addition to the above: Civil Construction Plan approval; final short plat approval; building permit(s) approval; & other applicable state and federal permits/authorizations.

EXISTING ENVIRONMENTAL DOCUMENTS:

SEPA Environmental Checklist, Tree Preservation Plan, & Geotechnical & Infiltration Assessment.

38th Street Short Plat
SEPA MDNS

SPL-2015-0006
Tom Allen

PROJECT LOCATION:

The subject property is located on the south side of 38th Street between "M" Avenue and "J" Avenue within a portion of Section 25; Township 35 North; Range 01 East; Willamette Meridian.

SUBJECT PARCEL:

Parcel #: P32057, P32056, & P32055

ZONING DISTRICT:

The subject property is located in the R2 Zoning District of the City of Anacortes.

COMPREHENSIVE PLAN DESIGNATION:

The subject property is located in the Residential Low Density (R2) Comprehensive Plan Designation.

CUT & FILL:

- A. Within the property: The proposed cut includes approximately 763 cubic yards to be stock piled for common lot fill around the site, but not under structures. Additionally, approximately 150 cubic yards will be excavated for the construction of the proposed infiltration system, which could potentially be used to fill the proposed residential lots.
- B. Within the alignment of proposed roads: The proposed cut and fill are approximately 450 cubic yards and 350 cubic yards, respectively.

CRITICAL AREAS:

No known critical areas are located either on or within 300 feet proximity to the subject property.

TRANSPORTATION:

The site will be accessed by a new public road off of 38th Street which is designated as a local residential street.

TREE PRESERVATION PLAN:

The applicant submitted a Tree Preservation Plan that was prepared by Urban Forestry Services of Mount Vernon, Washington, dated February 25, 2016. According to this report there are a total of fifty-eight (58) significant trees located on the project site of which the applicant proposes to retain a total of twenty-one (21) trees. Since the subject property is 85,451 net square feet in area, the developer is required to have a minimum of eight-six (86) tree unit credits. The twenty-one (21) trees that the applicant wishes to retain add up to ninety-eight (98) tree unit credits. Therefore, conformance with AMC Chapter 16.50 has been met.

LEAD AGENCY:

City of Anacortes' Department of Planning, Community & Economic Development. The lead agency for this proposal has determined that this project does not have a probable adverse impact on the environment provided that the conditions set out below are satisfied. An environmental impact statement (EIS) is not required under RCW § 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

MITIGATION MEASURES:

1. All required permits shall be secured before any construction activities begin onsite.
2. Those twenty-one (21) trees designated for retention on the submitted tree preservation plan shall be protected before and during site development and construction through adherence to AMC § 16.50.100. Chain link fencing (or other sturdy construction fencing) shall be erected along the drip line (plus 6 feet) of each of the trees designated for retention on the plan.
3. Before any site development or construction activities occur on the subject property the applicant shall contact the Department of Planning, Community, and Economic Development to arrange a tree fence inspection.
4. As directed by the Public Works &/or Planning/Building Departments, the applicant/landowner shall be responsible to sweep as needed 38th Street adjacent to the subject property and assure all mud and debris associated with construction activities is removed.

The conditions listed above along with the City of Anacortes' code governing noise, land use, traffic, drainage, fire protection, and building will provide substantial mitigation of the aforementioned environmental impacts. The City of Anacortes' derives the authority to require mitigation from Chapter 18.04 of the Anacortes Municipal Code and the State Environmental Policy Act.

This MDNS is issued after using the optional MDNS process in WAC § 197.11.355. There is no further comment period on this MDNS.

RESPONSIBLE OFFICIAL:

POSITION/TITLE:

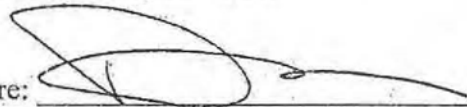
Don Measamer

Director of Planning, Community & Economic
Development

ADDRESS:

904 6th Street, P.O. Box 547
Anacortes, Washington 98221

DATE: 4/20/16

Signature: 

38th Street Short Plat
SEPA MDNS

SPL-2015-0006

Tom Allen

For further information, contact the City of Anacortes' Department of Planning, Community, & Economic Development at (360) 299-1901.

The issuance of this Mitigated Determination of Non-significance should not be interpreted as acceptance or approval of the proposal as presented. The City of Anacortes reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interests of the city and/or necessary for the general health, safety and welfare of the public to do so.

ISSUED: April 21, 2016

SEPA APPEAL PROCEDURE:

Pursuant to the procedures adopted under AMC § 18.04.250, no administrative appeal of the SEPA threshold determination is provided. The SEPA threshold determination may be appealed to the Skagit County Superior Court under RCW § 43.21C.075 after the City's final action on the underlying action(s). *Requests to receive notices of decisions for this project proposal should be submitted to the contact person listed above.*

Area Within Property Lines = 85,439 Sq Ft 1.96 Ac.
 (Area in Plat Road = 8,387 Sq Ft 0.19 Ac. included in above area)
 Area in 36th St. & K Ave. = 15,851 Sq Ft 0.36 Ac.
 Total Area for Density Calculation 101,290 Sq Ft
 Required Area = 4 units per Acre, 10,890 Sq Ft
 multiplied by 9 = 98,010 Sq Ft

BASIS OF BEARINGS
 Survey per AFN 200506150088

Auditor's Certificate

Intersection of M Ave. and
 38th St. Brass disk in
 monument case. Visited April,
 2015.
 Section centerline bears
 N00°16'30"E 0.73

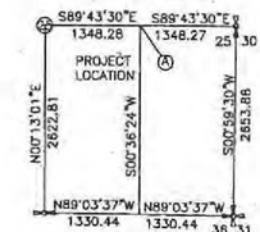
P 32158

SURVEY NOTES

- 1) This survey has been prepared from a closed random traverse using an instrument measuring angles to 3 seconds of arc and distances rounded to hundredths of feet. Note resultant areas are only accurate within the positional tolerance of the methods of survey.
- 2) The monuments (rebars) shown were found in substantial agreement with the survey of record, AFN 200506150088.
- 3) The purpose of this survey has been to describe existing boundaries and to create the nine lots shown by short subdivision.
- 4) The east line of Block 3, Gray Addition appears with questionable legibility to be 288' resulting in the width of Summer St. therein is described as being 35.01 feet in width. Note also that Summer Street lies on the north side of the plot of Broadview south.
- 5) Area in 38th Street - See descriptions sheet 2 of 2.
- 6) Lot corner monuments and street monuments that are required by Anacortes Municipal Code are to be set upon receipt of preliminary approval.

Refer to engineering plans attached illustrating existing and proposed utilities and other design features.

SECTION DETAIL



A portion of the NW 1/4 of the SE 1/4
 Section 25, Township 35 N., Range 1 East,
 W.M.
 NOTE: Section monuments were not visited
 during this survey. Boundaries are based on
 that survey of record AFN 200506150088.

PROPERTY OF: Thomas Allen, Custodian
 Tax Parcels P32057, P32058 and P32056

SHEET 1 OF 2

Preliminary Short Plat

SHORT PLAT NO. SPL-2015-0006 PUBLIC WORKS NO. 16-010 DEV.

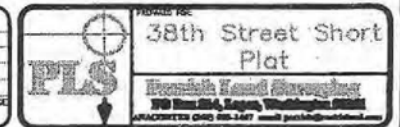
Surveyor's Certificate

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of Thomas L. Allen, Custodian, owner of property in Skagit County, Washington in May, 2015

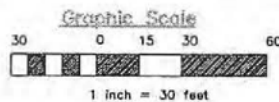
Certificate No. 29535



FILE NAME: 1504-710
 SCALE: 1" = 30'
 DATE OF PLAN: 2-1-16
 DRAWN BY: RFP
 F.B. No. 41
 QUARTER SECTION TOWNSHIP RANGE
 SC. 25 35N 1E



BLOCK 1
 PLAT OF GRAY'S
 SECOND ADDITION
 VOLUME 2, PAGE 13



Legend

- Street Monuments (see survey note 6)
 - Rebar & Cap, LS 25971
 - Pipe as noted
- Notations in parentheses are quoted from pre-division conditions (Bearing Distance) or (Tax Number & Address)
- TBR Building TO BE REMOVED

Rebar & Cap,
 LS 25971,
 Corner Bears
 N87°35'51"E 0.38

Lot 13
 Broadview Add.

PLAT OF BROADVIEW
 ADDITION AFN 506534

1" diameter pipe,
 no cap, found per
 Plat of Broadview
 Add. AFN 506534
 Corner Bears
 S42°29'42"W 0.43

EXHIBIT E

APPLICANT /LANDOWNER'S RESPONSE TO APPEAL:

1
2
3
4
5
6
7 **BEFORE THE PLANNING COMMISSION, CITY OF ANACORTES**

8
9 In re the Application for a Short Plat. by
10 TOM ALLEN
11
12 Applicant.

No. SPL-2015-0006

RESPONSE TO APPEAL OF SARA
HOLAHAN

13 **COMES NOW** TOM ALLEN ("Allen") by and through his attorney of record, Nicol
14 Law, PLLC, by Stephen E. Nicol, and in response to the appeal by SARA HOLAHAN of the
15 approval of the Short Plat referenced above responds as follows:

16
17 **INTRODUCTION**

18 The initial decision on SPL-2015-0006 was issued on April 21, 2016, with Findings of
19 Fact and Conclusions of Law and Conditions of Approval. Based upon the Findings and
20 Conclusions, the administrator approved the nine (9) lot short plat subject to the Conditions of
21 Approval.
22

23 As stated in the Conditions of Approval, the preliminary Decision authorizes the
24 applicant to proceed with the application for the necessary permits to construct the required
25 improvements and to prepare construction drawings in accordance with the determinations made
26 and conditions imposed. In other words, the administrator has approved the applicant's
27 submission subject to the application for the appropriate building permits and the submittal of a
28 final short plat.
29
30

1 The concerns submitted by the appellant are too vague to address, inaccurate or are
2 matters that will be addressed with the final submission for building permits or the final short
3 plat. More specifically:

- 4
5 1. **Drainage analysis:** Condition of Approval 14(c) states that "A Large Parcel Storm Water
6 Quality Control Plan and Water Quality Control Plan consistent with City requirements shall
7 be submitted by applicant for review and approval by the Planning/Building and Public
8 Works Departments prior to any construction activities taking place on or off site," 14(M)
9 states "Storm-water conveyance both on-site and off-site shall comply with City Storm
10 drainage requirements" and 14(N) states "The Developer shall provide suitable drainage
11 facilities for any surface run-off affecting the subdivision, per Anacortes Municipal Code
12 16.20.070." Assuming that the preliminary approval is not as complete as the appellant
13 would like, the Conditions of Approval assure compliance with City and State requirements
14 prior to construction activities.
15
- 16
17 2. **Density:** Density requirements for R2 have been met pursuant to the preliminary plan. This
18 is clearly shown in the Findings of Fact and Conclusions of Law. The issues with street
19 frontage and cul-de-sac design are addressed in Conditions 14(A), 14(O) and 14(P).
20
- 21
22 3. **Residential Access:** Residential access and parking along 38th Street, where problematic, is
23 addressed in Conditions 14(O) and 14(P).
- 24
25 4. **Tree Preservation:** The Tree preservation plan and assessment performed by Urban
26 Forestry states that the plan does meet the Tree Preservation and Retention requirements of
27 the City. Condition 15(B) ensures that the trees earmarked for preservation in the plan are
28 adequately protected during construction.
29
30

- 1 5. **Comprehensive Plan:** This short-plat is consistent with the Comprehensive Plan. The goals
2 of the Comprehensive Plan are detailed and extensive and work together to create an overall
3 picture of growth both to meet the needs of an expanding population and to the maintain the
4 unique character of the City, County and State. In addition, the goals are guidelines subject
5 to fairly broad interpretation. The State, County and Municipal code are the laws that govern
6 growth consistent with the goals of the Comprehensive Plan. The appellant has taken one
7 part of one sentence out of 13 Skagit County Countywide Regional Comprehensive Plan
8 Goals and 10 General City Goals for Anacortes and expressed her opinion on how the
9 development does or does not meet her expectations. However, the appellant has not raised a
10 definable objection to a specific matter that is addressed in the Code.
11
12
13
14 6. **38th Street and Pedestrian Use:** This matter is addressed in conditions 10, 13 and 14(O).

15 CONCLUSION

16 The issues put forth by the appellant that can be identified in her appeal are well
17 addressed in the Findings of Fact and Conclusions of Law and Conditions of Approval of the
18 City's Decision on the Developer's application. In addition, the engineer, Ravnik & Associates,
19 and the Staff Report on the Appeal have provided an extensive narrative addressing the same
20 issues as well as the law of the case. The Applicant requests that the City Council dismiss the
21 appeal and allow the Applicant to move forward into the next phase.
22
23

24 Dated this 19th day of May, 2016.
25

26 NICOL LAW, PLLC

27
28
29 By, 

30 STEPHEN E. NICOL, WSBA #30427
Attorney for Applicant

Ravnik & Associates, Inc.

CIVIL ENGINEERING & LAND-USE PLANNING

May 19, 2016

Mr. Don Measemer, Planning Director
City of Anacortes
P.O. Box 547
Anacortes, WA 98221

#2 type amended
5/19/16 JR

Re: Tom Allen 9-Lot Short Plat, SPL-2015-0006
Applicant's Response to Sara Holahan Appeal

Dear Mr. Measemer:

I have received a copy of an appeal letter from Ms. Sara Holahan dated May 5, 2016. The information I have provided herein is a response to the comments from Ms. Holahan for your review in preparation of this project's Planning Commission scheduled for June 6, 2016.

1. Concerns with Drainage Analysis

Inaccuracies: This cannot be responded to because the alleged inaccuracies are not listed.

Projected Runoff Volume: Runoff volumes and rates are calculated using the Western Washington Hydrology Model, WWHM. Data from this analysis is derived from the project's area, soil conditions, property slope, rainfall, and surface conditions. I have examined the input and output data and do not find any errors in the calculated volume.

Mitigations Specifications: The presently-existing downstream pipes to "M" Avenue are being upsized as detailed in the drainage analysis report. Specifications as to type of pipe and its installation will be provided on the construction plans. If this concern is directed towards the treatment of runoff waters, this matter is discussed further on.

Bioswale/Raingarden: Runoff treatment is provided through a designed biofiltration swale as detailed in the report. I do not find any reference to rain-gardens in the report nor this project. The swale has been designed for the appropriate level of runoff and exceeds DOE criteria. The designed cross-section only needs to be 1.64 feet wide, however 2 feet is used. The calculated flow velocity of 0.139 feet per second is considerably slower than the maximum velocity allowance of 1.0 feet per second. The proposed length of 95 feet is longer than the minimum 75.1 feet necessary to achieve the required minimum 9-minute contact time in the swale.

Soils Classification: The onsite soils have a Hydrologic classification of D.

Swale Maintenance: Typically the City maintains residential drainage facilities. The maintenance of the biofiltration swale, which simply involves mowing, will be determined by the City and noted on the final short plat map.

2. Density, Lot 2 setback, and Utility Easement Width

The residential density for this project is provided on Civil sheet 1 of 4, and does conform with City regulations. Lot 2 has an existing residence which has been carefully considered in the layout of this project. A 15-wide sidewalk and utility easement has been provided on the frontage of all lots abutting the proposed road, with exception of Lot 2 where a 12-foot easement

width is denoted. As stated in the City's "Short Cul-de-sac" standards, "Provision shall be made for franchise utilities as needed." As part of the final civil construction plans, this project will coordinate with Puget Sound Energy to establish the route of installing natural gas and wire utilities. Even fronting Lot 2, the available 7 feet behind the sidewalk is more than adequate for a common-utilities trench. This will simply be a stretch of utility trench where vault locations will not be designed.

3. Residential Access and "K" Avenue Improvements

All lots have access from an improved public street. For the applicant's garage proposal using "K" Avenue, the applicant has agreed to improve "K" Avenue per the attached agreement.

4. Tree Retention

The applicant has retained a professional to perform an assessment of trees on the property and those that will be saved. The Tree Preservation Plan submitted to the City exceeds the City's requirements.

5. Proposed Short Plat's Compatibility with Existing Neighborhood

This project as presently submitted does conform to the City's development and zoning regulations. The appellant's term from Goal #3 "Promote compatible land uses..." is a General City Goal which is not specifically definitive, however can only be achieved when an application conforms to the City's development standards. Referring to the Housing Goals and Policies – Goal 1: "Attempt to achieve a balanced distribution of housing to meet the needs of all citizens." and Goal 3; "Single family, detached residential shall be the major residential form in the community." The appellant has the right to express her personal opinion; however this project does specifically conform to City standards. Per the R-2 Purpose, 17.36.010 "The objective and intent of the R2 district is to maintain and create an environment which meets the standards for single-family residential development, by restricting uses within the district, and by requiring a minimum lot size and maximum density."

6. 38th Street & Pedestrian Improvements

Across this project's frontage, 38th Street has an existing asphalt width of 24 – 25 feet which clearly provides for two 12' wide travel lanes. As shown on the accompanying aerial photograph, this road width exists from the west side of M Avenue westerly approximately 1,100' to the end of 38th Street. Across this project's frontage, this paving width does not parallel the right of way centerline. Presently, there is 6 – 12 feet of paving north from the right of way centerline and the remainder south. The Anacortes Engineering Department considered whether the road should be widened following its current alignment or following the right of way centerline. As directed by the Engineering Department, this project is to widen the south side of 38th Street to provide an overall road-width of 28 feet, paralleling the existing road's alignment. Because of the varying paving width and alignment, the resulting full-width of driving surface will be 28 – 29 feet.

Although 38th Street is not posted NO PARKING, most of the adjoining property owners west of M Avenue do not park along either side of 38th Street. Per the City's Engineering Department, the City's requirement to widen the south side can provide a location where the neighborhood has more space for on-street parking. In addition to each lot being required to provide for two

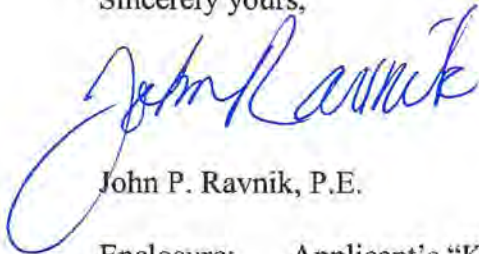
parking spaces, the widened portion of 38th Street can accommodate up to 8 – 10 parked vehicles.

Along the south side of 38th Street widening, fronting this project, a five-foot-wide concrete sidewalk is to be constructed adjacent to the proposed back of curb, thereby providing a designated walking path adjacent to the on-street parking area. The City recognizes this section of 38th Street dead-ends to the west, and that for many years, kids have walked along the edge of road to the existing sidewalk facilities at M Avenue. Presently along the south side of 38th Street, sidewalk exists to approximately 110' west of M Avenue. As adjacent properties are subdivided, they too will be required to widen the road and provide curb, gutter, and sidewalk, eventually having a completed link of sidewalks along one side of 38th Street east to sidewalks along M Avenue. Along M Avenue south from 38th Street, there are sidewalks leading to Mt. Erie Elementary School.

As common with other communities, the peak hour of travel is analyzed as being a one-hour period some time between 4 pm and 6 pm. This project consists of three parcels encompassing nearly two acres, with each lot recognized as having or previously having one residence. As such, for this project, only six new homes are being created. A single family residence is classified as generating 1 peak hour trip during the peak hour period. The addition of six additional peak hour trips on this dead-end portion of 38th Street is not considered to be impactive to the neighborhood or the surrounding road network. With this section of 38th Street only being 1,100' long, and not having any major undeveloped right of ways at its west end for further extension, there simply cannot be a large quantity of traffic generated from this neighborhood.

Thank you very much for providing me Ms. Holahan's appeal. If you or the public have any further questions, please do not hesitate to contact me.

Sincerely yours,



John P. Ravník, P.E.

Enclosure: Applicant's "K" Avenue Improvement Proposal dated 5/6/2016
"M" Avenue Aerial Photo

PC: Mr. Tom Allen

EXHIBIT F

APPELLANT REPLY TO APPLICANT:



12:55pm
dl

BEFORE THE CITY COUNCIL, CITY OF ANACORTES

In re the Application for a Short) No.: SPL-2015-0006
Plat by TOM ALLEN,)
Applicant,) RESPONSE TO COMMENTS ON APPEAL OF
) SARA HOLAHAN
)
)
)
)
)

Comes now SARA HOLAHAN in follow up to my appeal of March 6, 2016 and subsequent comments submitted by Tom Allen and city staff.

Introduction:

I appeal to the city council to regard the purpose of the city development code:

"16.04.030 To protect the character and the social and economic stability of all parts of the city and to encourage the orderly and beneficial development of the community through appropriate growth management techniques. These techniques shall be designed: to assure appropriate timing and sequencing of development; to promote appropriate infill development in existing neighborhoods and nonresidential areas with adequate public facilities.

To establish reasonable standards of design and procedures for subdivisions and resubdivisions, in order to further the orderly layout and use of land, and to ensure proper legal descriptions and monumenting of subdivided land. "

I believe the city has a responsibility to consider the character of established neighborhoods when implementing growth, should implement

1 requirements in a straightforward manner, and if variances are requested,
2 handle them with due process.

3
4 The significant starting point for this application is the proposed
5 plat map. The required copy that was mailed to affected neighbors and which
6 was posted on the subject property incorrectly showed (Scale: 1"= 30'), so
7 that it was not possible to evaluate the true scope of the proposal. The
8 correct scale should have stated (Scale 1/4"= 30') or "not to scale". This
9 may have been an inadvertent mistake, but the fact that it was disregarded is
10 unacceptable from a professional level at planning department. I did
11 subsequently go to the planning department and purchased a full scale map of
12 the subject property for \$3. Perhaps there is another inaccuracy with scale,
13 but according to this large 2' x 3' map with a (Scale 1" = 20'), the proposed
14 short cul-de-sac measures 190', although the map notes it as 158' in very
15 small print. Anacortes Municipal Code (AMC) 16.32.010 states "Short Cul-de-
16 Sac. **A public road not more than one hundred fifty feet** in length and
17 serving not more than six residential building sites, and with no reasonable
18 possibility of extension can be build to the following standards..." This
19 application should not have progressed any further until that basic
20 requirement was met and corrected on the preliminary plat map as there are
21 many questionable lot lines and access points which I will address below. In
22 addition, the application narrative includes six references to future
23 division of lot #9 into two parcels. This is not allowed per stated AMC.

24
25 In regards to my specific appeal points:

- 26
27 1. The applicant states that he has met the stormwater requirements. I do not
28 have the geotechnical expertise however I am aware of state requirements.

1 On page 4 of the applicant's proposed stormwater plan it lists lawn as
2 pervious area, however, according to Department of Ecology Best Management
3 Practices it is not. In addition, it incorrectly says that it can divert
4 the driveway storm water to the lawn as a treatment. The application
5 narrative document cites both the 2004 and 2012 guidelines. Why is this?
6 Is the developer allowed to pick and choose what rules? Why is Anacortes
7 not required to follow current Department of Ecology Best Management
8 Practices per state law? The proposal says that stormwater detention is
9 not required because the water will be directed to city pipes, (after some
10 changes in pipe sizes are made at 38th and M St by the developer) and be
11 conveyed to "the outfall at Fidalgo Bay, an unrestricted water body".
12 Currently Storm water MUST be filtered or treated before entering Fidalgo
13 Bay. Chapter 2 of the Stormwater Manual lists the minimum Requirements
14 for new developments greater than one acre and it includes Source Control
15 of Pollution, On-site Stormwater Management, Runoff Treatment and Flow
16 Control. As stated in the Department of Ecology Manual, "The runoff from
17 roads and highways is contaminated with pollutants from vehicles. Oil and
18 grease, polynuclear aromatic hydrocarbons, lead, zinc, copper, cadmium, as
19 well as sediments and road salts are typical pollutants in road runoff."
20 "Residential areas contribute the same road-based pollutants to runoff, as
21 well as herbicides, pesticides, nutrients from fertilizers, bacteria and
22 viruses (from animal waste). All of these contaminants can seriously
23 impair beneficial uses of receiving waters."
24 There is a lot of water generated on this property (as can be viewed from
25 the developer's own submitted pictures) as well as from west side of the
26 property. They cited a drainage map that does not include the changes on
27 the west side where Ace of Hearts Park was infilled to create more runoff
28 towards this project and not to Ace of Hearts Creek. The current

1 conveyance on the street is barely adequate due to mistakes made for a
2 previous short plat at 1520 and 1512 38th St. The volume of stormwater
3 coming off the property will not be adequately filtered through the 95' x
4 2' swale, but will overflow and overwhelm the property owners to the east.
5 The reason for this is the area is mostly class D soils and some class C,
6 both of which infiltrate at a very slow rate, and so the swale needs to be
7 larger. Additionally, the swale as proposed, has not provided for utility
8 easement for telephone, cable, electricity, whose lines are directly in
9 the proposed swale.

- 10
- 11 2. There are many problems with minimum setbacks and dimensions. Setbacks are
12 established by code to create responsible distances between dwellings,
13 roadways and sidewalks. Additionally, each lot needs to have 30' street
14 frontage. The applicant is pushing the limits of this acreage to maximize
15 the number of lots. He proposes to put lot 3 on the street frontage in
16 front of lot 2. This will reduce the front property line setback of lot 2
17 to 7', not meeting the required 20' setback per AMC 17.36.060. It appears
18 that the applicant proposes to use the driveway access to 38th St. to
19 account for the minimum setback. In addition, he has randomly added 10
20 feet to the driveway entrance to create a 30' street frontage. This is
21 unacceptable and an insult to the intent of the established law. I have
22 attached an email correspondence from a concerned neighbor in regards to
23 this issue. In it, Kevin Cricchio, associate planner, states that "the
24 planning department has some discretion in what we consider
25 front/rear/side yards. I would consider the property line adjacent to the
26 38th St. panhandle the front. We could also consider the property line on
27 adjacent to K as the front yard." Unfortunately, he is incorrect.
28 Frontage must be on a developed street, which K Ave is not. In any event,

1 designation of the front/rear/side yards must be presented at the time of
2 application, not randomly switched around. This is evidence that there are
3 serious problems with setback requirements in trying to add this extra lot
4 to the short-plat.

5
6 3. There is still uncertainty about the access points for driveways, the
7 sidewalk easements and parking. AMC 16.32.020 D requires "two off-street
8 parking spaces for each dwelling unit in addition to garages". The 150'
9 short cul-de-cac, minus 24' for the road, minus 120' for driveways of the
10 six lots, does not allow the 120' (12 x 10') parking spaces. The developer
11 is trying to divide existing lot 2 into the Short Plat application. At
12 the same time he applied for a building permit for a garage, AND asked for
13 permanent access to it from undeveloped K Ave. Why was there no due
14 process for a variance on K Ave? Also, is it appropriate for the
15 developer to make changes on lot 2 in the midst of applying for approval
16 to divide the property? I think AMC addresses this:

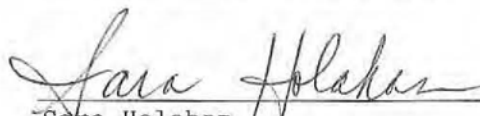
17 "No building permit or certificate of occupancy shall be issued for
18 any parcel or plat of land created by subdivision after the
19 effective date of, and not in substantial conformity with, the
20 provisions of these subdivision regulations. Further, no excavation
21 of land or construction or any public or private improvements shall
22 take place or be commenced except in conformity with these
23 regulations."

24 The developer made an agreement with the neighbor, Sean Kelly, in regards
25 to his concern for traffic on K Ave. by stating he would prevent others
26 from using it by including deed restrictions for lots 1 and 9. (see
27 attached statement). I do not believe there is any legal basis to restrict
28

1 future residents from using K Ave. right-of-way through deed or otherwise.
2 Practically, there would be no enforcement of this.
3

- 4 4. The tree preservation plan is inadequate because some of the specimens
5 listed for keeping are also listed as poor or fair quality, yet are given
6 5 credits. In addition, trees that are to remain are next to proposed
7 improvements on K Ave. and the driveway on 38th St. to lot 2. In order to
8 preserve them, a fence must be erected around the drip line of the tree
9 canopy. This will not be possible while excavating and building of the
10 roads, and the trees will be harmed or need to be removed, thus negating
11 the developers assurance that they would remain.
12
- 13 5. AMC 16.32.02 states "Sidewalks shall normally be separated from curb and
14 gutters by a planted median at least six feet in width." This is the
15 expected norm, and would match the established planted median on 38th where
16 it abuts M St. The developer states in the narrative that he will
17 establish landscaping and plant trees every 30', but it is not indicated
18 where a planted median would be. This would greatly enhance the
19 suitability of this development to the neighborhood which currently has
20 large lots and significant vegetation. I believe that this development
21 would be suitable to the established neighborhood if it was built out with
22 a short cul-de-sac of legal size, and with five new residences, not the
23 seven as proposed.
24

25 Dated this 25 of May, 2016

26 
27 _____
28 Sara Holahan

RECEIVED

MAY 25 2016

12:35 PM
JL

Cricchio, Kevin

From: Cricchio, Kevin
Sent: Monday, May 02, 2016 8:52 AM
To: 'Sean Kelly'
Cc: Lange, Steve; Measamer, Don; Nelson, Kaitlynn; Ingalls, Paul
Subject: RE: Tom Allen Short Plat Application SPL-2015-0006

CITY OF ANACORTES
EXEC ADMIN

5-2-16

Sean, thanks for the email. I have answered a few of your questions below in red. Steve in the Public Works Department will answer the rest of these questions. Thanks.

Kevin Cricchio, AICP
Associate Planner
Department of Planning, Community, & Economic Development
City of Anacortes
(360) 630-6270

From: Sean Kelly [mailto:dawg@logicaldog.com]
Sent: Sunday, May 01, 2016 8:00 PM
To: Cricchio, Kevin <kevinc@cityofanacortes.org>
Cc: Lange, Steve <stevel@cityofanacortes.org>; Measamer, Don <don@cityofanacortes.org>; Nelson, Kaitlynn <kaitlynn@cityofanacortes.org>
Subject: Re: Tom Allen Short Plat Application SPL-2015-0006

Hi All,

I have not yet heard back from Steve on the remaining questions.

Also, I have the following additional questions:

1. Has a permit been applied for, or issued for a garage on lot #2 (1417 38th Street)? **The applicant did apply for a building permit for a detached garage (BLD-2016-1210). Please contact Paul Ingalls in the Building Department if you have any questions regarding this. I have copied him on this email.**
2. If a permit has been applied for, or issued for a garage on lot #2, from which street will it be accessed? **Contact Paul on this.**
3. Which boundary of lot #2 is considered the "front yard" for purposes of AMC 17.36.060? **The Planning Department has some discretion in what we consider front/rear/side yards. I would consider the property line adjacent to 38th Street (the panhandle) the front yard. We also could consider the property line adjacent to K Avenue as the front yard. Conformance with the front setback requirement has been met.**
4. Which boundary of lot #2 is considered the "back yard" for purposes of AMC 17.36.060? **Again, the Planning Department has some discretion in what we consider front/rear/side yards. I would consider the southern property line of lot 2 as the rear yard (adjacent to lot 1). Conformance with the rear yard setback has been met.**
5. What is the actual distance from the sidewalk on Deskin Court adjacent to lot #2 and the retained structure on that lot? It is not indicated on the drawing we were supplied. **The sidewalk will be located within an easement around the cul-de-sac (not within the right-of-way). The edge of the right-of-way**

from the existing residence is 14 feet. This is considered a side yard insofar as setback requirements are concerned. Conformance with the side yard setback has been met.

6. What is the length of the Deskin Court for purposes of compliance with AMC 16.32.020 and how is that measured? It appears to be 157.98' per the supplied drawing.
7. Will lot #2 be accessed from 38th Street? If so how?
8. Will lot #2 be accessed from Deskin Court?
9. If lot #2 will not be accessed from Deskin Court or 38th Street, how will it be accessed?
10. How is the narrowing of the sidewalk on Deskin Court adjacent to lot #2 or the very minimal setback of the retained structure on lot #2 consistent with compatible use or good visual appearance? It seems that it will show for what it is, an obvious accommodation to retain a structure that is not compatible with the rest of the plan.

Best regards,

Sean Kelly

On Thu, Apr 21, 2016 at 10:22 AM, Cricchio, Kevin <kevinc@cityofanacortes.org> wrote:

4-21-16

Sean,

Good morning and thank you for the email concerning the subject short plat. Density for the subject short plat located in the R2 Zoning District been met per AMC 17.36.070. Four dwelling units per gross acre are permitted in the R2 Zone. The applicant proposes 3.9 dwelling units per gross acre (9 dwelling units divided by 2.31 gross acres). 2.31 Gross Acres multiplied by 4 dwelling units per gross acre = 9 lots. Nine lots are proposed.

Regarding your other questions listed below, I will let Steve in our Public Works Department answer. If have any further questions, please let me know. Thank you Sean.

Kevin Cricchio, AICP

Associate Planner

Department of Planning, Community, & Economic Development

City of Anacortes

(360) 630-6270

City of Anacortes

(360) 630-6270

From: Sean Kelly [mailto:dawg@logicaldog.com]

Sent: Thursday, April 21, 2016 10:08 AM

To: Cricchio, Kevin <kevinc@cityofanacortes.org>; Nelson, Kaitlynn <kaitlynn@cityofanacortes.org>; Lange, Steve <stevel@cityofanacortes.org>

Subject: Tom Allen Short Plat Application SPL-2015-0006

Hi All,

I live on 38th Street immediately west of the proposed short plat.

After having an opportunity to review and reflect on the Tom Allen short plat application, I would like to offer the following comments and questions:

Overall, it seems the proposed density is excessive for the area.

38th street is not a full width street and already suffers from issues with on-street parking and pedestrian traffic to the dog park. I question whether the evaluation of traffic impact in the area adequately considers this.

The technique used to get lot #2 30 feet of frontage on 38th Street is mere "sleight of hand". It's pretty obvious that that lot is going to be accessed from K Avenue as the platted strip is inadequate to provide a driveway to the proposed garage. It's my understanding that is actually the plan at this time for the proposed garage. It seems to me that for a residence to claim access from a street, it should actually have functional access from that street. I also wonder where guest parking for Lot #2 will occur? Will they be parking on K Avenue? Maybe 38th Street? Will this residence also be allowed to have access and driveway parking off of the cul-de-sac despite the short cul-de-sac standard?

It's also evident that lots #1 and #9 are highly likely to substantially use K Avenue as well. It's stated in the application that the developer desires to further divide lot #9 into two parcels. It seems that given the short cul-de-sac standard, the most likely scenario for being able to do that is to access that lot off of K Avenue.

In summary:

Cricchio, Kevin

From: Lange, Steve
Sent: Monday, May 02, 2016 8:44 AM
To: 'Sean Kelly'; Cricchio, Kevin
Cc: Measamer, Don; Nelson, Kaitlynn
Subject: RE: Tom Allen Short Plat Application SPL-2015-0006

RECEIVED
MAY 25 2016
CITY OF ANACORTES
EXEC ADMIN
12:55
ck

Sean,

See Public Works comments below.

Thanks,

Steven Lange, Project Manager

O: 360.293.1920 | C: 360.661.3468

stevel@cityofanacortes.org

City of Anacortes Public Works Engineering Department

904 6th Street | P.O. Box 547

Anacortes, WA 98221

www.cityofanacortes.org

From: Sean Kelly [mailto:dawg@logicaldog.com]
Sent: Sunday, May 01, 2016 8:00 PM
To: Cricchio, Kevin <kevinc@cityofanacortes.org>
Cc: Lange, Steve <stevel@cityofanacortes.org>; Measamer, Don <don@cityofanacortes.org>; Nelson, Kaitlynn <kaitlynn@cityofanacortes.org>
Subject: Re: Tom Allen Short Plat Application SPL-2015-0006

Hi All,

I have not yet heard back from Steve on the remaining questions.

Also, I have the following additional questions:

1. Has a permit been applied for, or issued for a garage on lot #2 (1417 38th Street)? **Yes, prior to the short plat being submitted.**
2. If a permit has been applied for, or issued for a garage on lot #2, from which street will it be accessed? **K Avenue with a Crushed Rock Surface 20-feet in width to the end of the proposed property line.**
3. Which boundary of lot #2 is considered the "front yard" for purposes of AMC 17.36.060? **Planning Question**

4. Which boundary of lot #2 is considered the "back yard" for purposes of AMC 17.36.060? Planning Question
5. What is the actual distance from the sidewalk on Deskin Court adjacent to lot #2 and the retained structure on that lot? It is not indicated on the drawing we were supplied. Planning Question
6. What is the length of the Deskin Court for purposes of compliance with AMC 16.32.020 and how is that measured? Public Works measures from the existing Right-of-Way to the Center of the Cul-de-Sac. It appears to be 157.98' per the supplied drawing. Based on a conversation with Don Measamer, the Short Plat is being revised to reflect this.
7. Will lot #2 be accessed from 38th Street? If so how? Project will construct a driveway since the driveway cut is shown on the face of the drawings.
8. Will lot #2 be accessed from Deskin Court? No.
9. If lot #2 will not be accessed from Deskin Court or 38th Street, how will it be accessed? K Avenue as stated above
10. How is the narrowing of the sidewalk on Deskin Court adjacent to lot #2 or the very minimal setback of the retained structure on lot #2 consistent with compatible use or good visual appearance? It seems that it will show for what it is, an obvious accommodation to retain a structure that is not compatible with the rest of the plan. Sidewalk will be 5-feet in width as required in the R2 Zone. The setback concern is a Planning Question.

Best regards,

Sean Kelly

On Thu, Apr 21, 2016 at 10:22 AM, Cricchio, Kevin <kevinc@cityofanacortes.org> wrote:

4-21-16

Sean,

Good morning and thank you for the email concerning the subject short plat. Density for the subject short plat located in the R2 Zoning District been met per AMC 17.36.070. Four dwelling units per gross acre are permitted in the R2 Zone. The applicant proposes 3.9 dwelling units per gross acre (9 dwelling units divided by 2.31 gross acres). 2.31 Gross Acres multiplied by 4 dwelling units per gross acre = 9 lots. Nine lots are proposed.

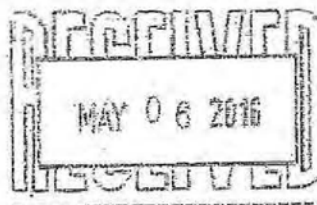
Regarding your other questions listed below, I will let Steve in our Public Works Department answer. If have any further questions, please let me know. Thank you Sean.

Kevin Cricchio, AICP

Associate Planner

Department of Planning, Community, & Economic Development

May 6, 2016



Sean Kelly
1004 Commercial PMB 1108
Anacortes, Washington 98221

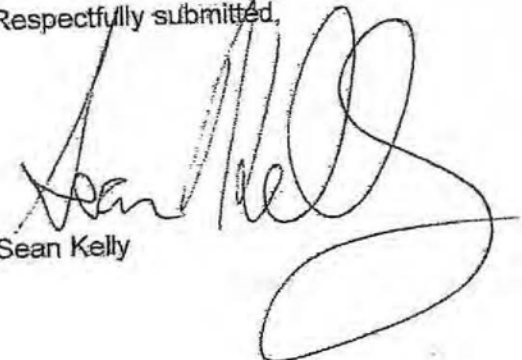
Anacortes City Council
904 - 6th Street
Anacortes, Washington 98221

15-05-16 145 59PAIN

Anacortes City Council Members:

Having reached a satisfactory agreement with Tom Allen regarding my items of concern with K Avenue, I hereby withdraw my appeal dated May 2, 2016 regarding the 38th Street Short Plat Findings of Fact, Conclusions of Law & Decision dated April 21, 2016 regarding the Tom Allen Short Plat Application SPL-2015-000.

Respectfully submitted,



Sean Kelly

Whereas: Sean Kelly wishes Tom Allen to construct improvements to K Avenue that support his 38th Street short plat in a specified manner other than was originally contemplated by Tom Allen.

Whereas: Tom Allen wishes Sean Kelly to withdraw his appeal regarding the 38th Street short plat.

Therefore:

Tom Allen shall modify his current plans to construct a gravel drive in K Avenue adjacent to his proposed 38th Street Short Plat as follows:

- Provide a paved drive 12 feet in width to the south extent of lot #2. This drive will be constructed to city standards such that it can be extended at a later date.
- Centerline of the 12 feet drive shall be centered in the existing K Avenue R.O.W., unless agreed otherwise by the parties to this agreement.

Tom Allen shall also restrict the deeds of certain lots in the 38th Street Short Plat as follows and also indicate these restrictions on the short plat:

- Vehicular access to lots 1 and 9 from K Avenue shall be prohibited as well as any additional lot or lots created that abut K Avenue. The lot currently known as Lot 2 (1417 - 38th Street) is the only lot of the short plat that shall have vehicular access from K Avenue.
- If vehicular access to the lots mentioned in the previous paragraph is desired by the owners of those lots, they shall be required to extend the paved drive to the south extent of their property.

Sean Kelly shall withdraw his appeal to the Anacortes City Council regarding the 38th Street short plat prior to 5pm on Friday, May 6th 2016.

Agreed to this Friday May 6th, 2016 by:

Sean Kelly


5/6/16

Tom Allen

"38TH STREET SHORT PLAT"

LEGEND

—	EXISTING RIGHT OF WAY LINE	—	PROPOSED SUT FORCE
—	EXISTING PROPERTY LINE	—	PROPOSED DRAINAGE CONSTRUCTION FORCE
—	EXISTING STORM DRAIN	—	PROPOSED ASPHALT SURFACE ELEV.
—	EXISTING STORM MANHOLE	—	W/POINT CURVE
—	EXISTING STORM CATCH BASIN	—	POINT OF REVERSE CURVATURE
—	EXISTING SANITARY SEWER	—	POINT OF CURVATURE
—	EXISTING SANITARY MANHOLE	—	QUARTER POINT OF CURVE
—	EXISTING SANITARY MANHOLE	—	LANDSCAPE PROPOSED LANDSCAPE AREA
—	EXISTING WATERLINE	—	PROPOSED DRAINAGE INTERFERENCE
—	EXISTING WATER VALVE	—	FOR SIGN OR SANITARY SEWER
—	EXISTING FIRE HYDRANT	—	PROPOSED STORM DRAIN
—	EXISTING POWER, CABLE, TELEPHONE, GAS LINE	—	PROPOSED PERFORATED STORM DRAIN
—	EXISTING OVERHEAD POWER	—	PROPOSED STORM CATCH BASIN
—	EXISTING GAS LINE	—	PROPOSED W/POINT CURVE
—	EXISTING BROWNS CONTAIN LINE	—	PROPOSED SANITARY SEWER
—	EXISTING EDGE OF ASPHALT	—	PROPOSED DITCH
—	EXISTING FENCELINE	—	PROPOSED POWER, CABLE, TELEPHONE, GAS LINE
—	EXISTING WATER METER	—	PROPOSED WATER VALVE
—	EXISTING ASPHALT	—	PROPOSED FIRE HYDRANT
—	EXISTING CONCRETE	—	PROPOSED WATER METER BOX
—	EXISTING GRAVEL	—	PROPOSED AIR RELEASE ASSEMBLY
—	EXISTING GRAVEL	—	PROPOSED BLOW OFF/TURNING ASSEMBLY
—	EXISTING TO BE REFINISHED	—	PROPOSED CURB & GUTTER
—		—	PROPOSED CONCRETE
—		—	PROPOSED ASPHALT

PROJECT CONTACTS:

OWNER

EQUITY TRUST COMPANY
CUSTODIAN TBO THOMAS ALLEN IRA
P.O. BOX 451
340 WESTLAKE, OH 44145

DEVELOPER

TOM & TRAM ALLEN
P.O. BOX 917
ANACORTES, WA 98021
(360)293-7754

CIVIL ENGINEER

RAVNIK & ASSOCIATES, INC.
CONTACT: JOHN RAVNIK
1833 LINDAWOOD LANE
P.O. BOX 381
BURLINGTON, WA 98222
PHONE: (360)757-3048
FAX: (360)757-3216

SURVEYOR

PARESH LAND SURVEYING
CONTACT: BOB PARESH
P.O. BOX 314
LOPCE, WA 98261
PHONE: (360)582-1497

FRONTIER

CONTACT: BRIET MURDOCK, ENGINEER
TEL: (360)757-0541
CELL: (425)417-7895
BRIET.MURDOCK@PTD.COM
CONTACT: DEAN DUMRIS, CONSTRUCTION
TEL: (360)757-7221
CELL: (360)776-7938

PUGET SOUND ENERGY
MUNICIPAL CONSTRUCTION
PLANNING DEPARTMENT

CONTACT: JANE MAJOR
TEL: (360)746-5071
CELL: (360)741-3748
JANE.MAJOR@PSE.COM

PSE/INTOLIGHT

CONTACT: LAKE MAHLEN
TEL: (425)482-3024
CELL: (425)428-1336
EMAIL: LAKE.MAHLEN@PSE.COM

CASCADE NATURAL GAS

CONTACT: JAMES HOBBS
P.O. BOX 807
MT. VERNON, WA 98222
TEL: (360)538-3011
FAX: (360)538-2584

BLACK ROCK CABLE

CONTACT: RANDY WILSON
TEL: (360)328-3428
CELL: (360)328-8538
RWILSON@BLACKROCKCABLE.COM

CITY OF ANACORTES

PUBLIC WORKS PROJECT MANAGER-STEVE LANGE
P.O. BOX 547
ANACORTES, WA 98021
PHONE: (360)293-1800
FAX: (360)293-1838
CELL: (360)461-3448
EMAIL: stevelange@cityofanacortes.org

ALTERNATE CONTACT: FRED BUCKENMEYER

PHONE: (360)293-1020
SEWER AND WATER DEPARTMENT
P.O. BOX 537
ANACORTES, WA 98021
PHONE: (360)297-1996
FAX: (360)293-1838
CONTACT: BOB OLIPHANT

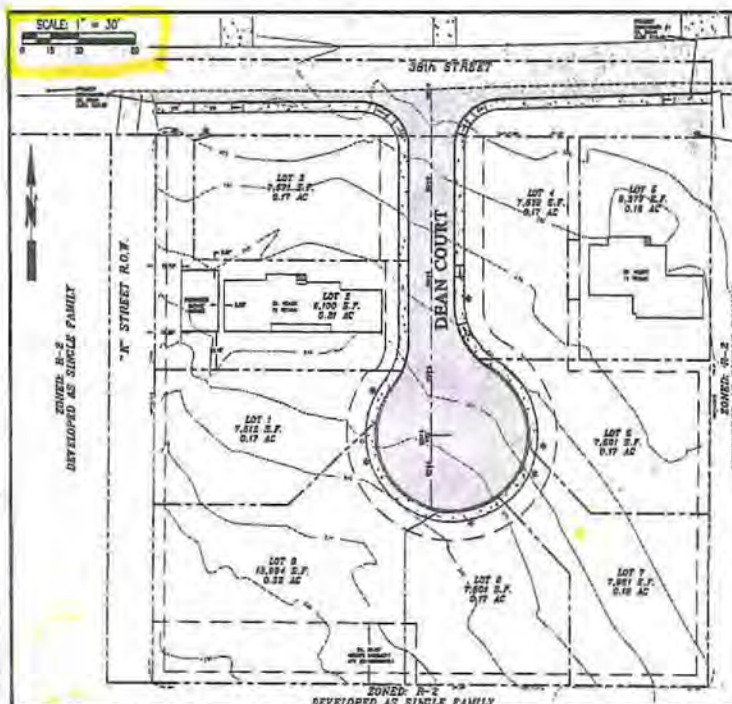
PUBLIC WORKS DIRECTOR/INSPECTOR-DAVE WALDE

P.O. BOX 547
ANACORTES, WA 98021
PHONE: (360)293-1951
FAX: (360)293-1838
CELL: (360)581-7838

UTILITY LOCATE

#11

ALL TESTING SHALL BE
PERFORMED PER THE
CITY OF ANACORTES
STANDARDS



SHEET SCHEDULE:

SHEET 1 OF 4 COVER
SHEET 2 OF 4 EXISTING CONDITIONS
SHEET 3 OF 4 OVERALL SITE & GRADING PLAN
SHEET 4 OF 4 EXISTING/DEVELOPED OFFSITE STORM DRAIN PLAN

SURVEY INFORMATION

NOTE: EXISTING STRUCTURES, UTILITIES, AND SURFACE CONDITIONS SHOWN ON THESE PLANS REPRESENT SURVEY INFORMATION LOCATED IN NOVEMBER, 2013, FROM A TOPOGRAPHIC SURVEY PERFORMED BY PARESH LAND SURVEYING, AND FROM UTILITY INFORMATION PROVIDED BY UTILITY COMPANIES. A UTILITY LOCATE SERVICE WAS NOT CALLED PRIOR TO SURVEYING OF THE PROPERTY, BUT MUST BE CALLED PRIOR TO CONSTRUCTION. SURVEY DATUM: BASED UPON CITY OF ANACORTES DATUM. CITY BENCHMARK SIGN IN CURB GRASS SIGN LOCATED AT THE CORNER OF "K" AND 38TH STREET, EASTERN OF THE SITE ELEVATION = 167.75. CONTOURS HAVE BEEN INDICATED FROM DATA COLLECTED BY FIELD SURVEY.

DENSITY CALCULATIONS:

TOTAL PROPERTY AREA = 85,451 S.F.
ABUTTING HALF OF 38TH STREET R.O.W. = 40'x289' = 11,800 S.F.
ABUTTING HALF OF "K" STREET R.O.W. = 12.15'x289.46' = 3516.93 S.F.
SUM AREAS FOR DENSITY CALCULATIONS = 100,767.9 S.F. = 2.31 AC
AT 4 DU/AC, A TOTAL OF 9 LOTS CAN BE PREPARED PER THE CURRENT R-2 ZONING CODE.



VICINITY MAP

SCALE: 1"=200'

CALL TWO
BUSINESS DAYS
BEFORE YOU DIG
"B11"

PLAN STATUS:

SCALE AS SHOWN

DRAWN BY: D. PENNEY

CHECKED BY: J. RAVNIK

DATE: 02.28.16

SHEET TITLE

9-LOT SHORT PLAT
FOR
TOM ALLEN (DEVELOPER)
SECTION 25, T. 35 N, R. 1 E, W.M.

DRAWING NO.

15030-075-009

JOB NO.

15030

SHEET NO.

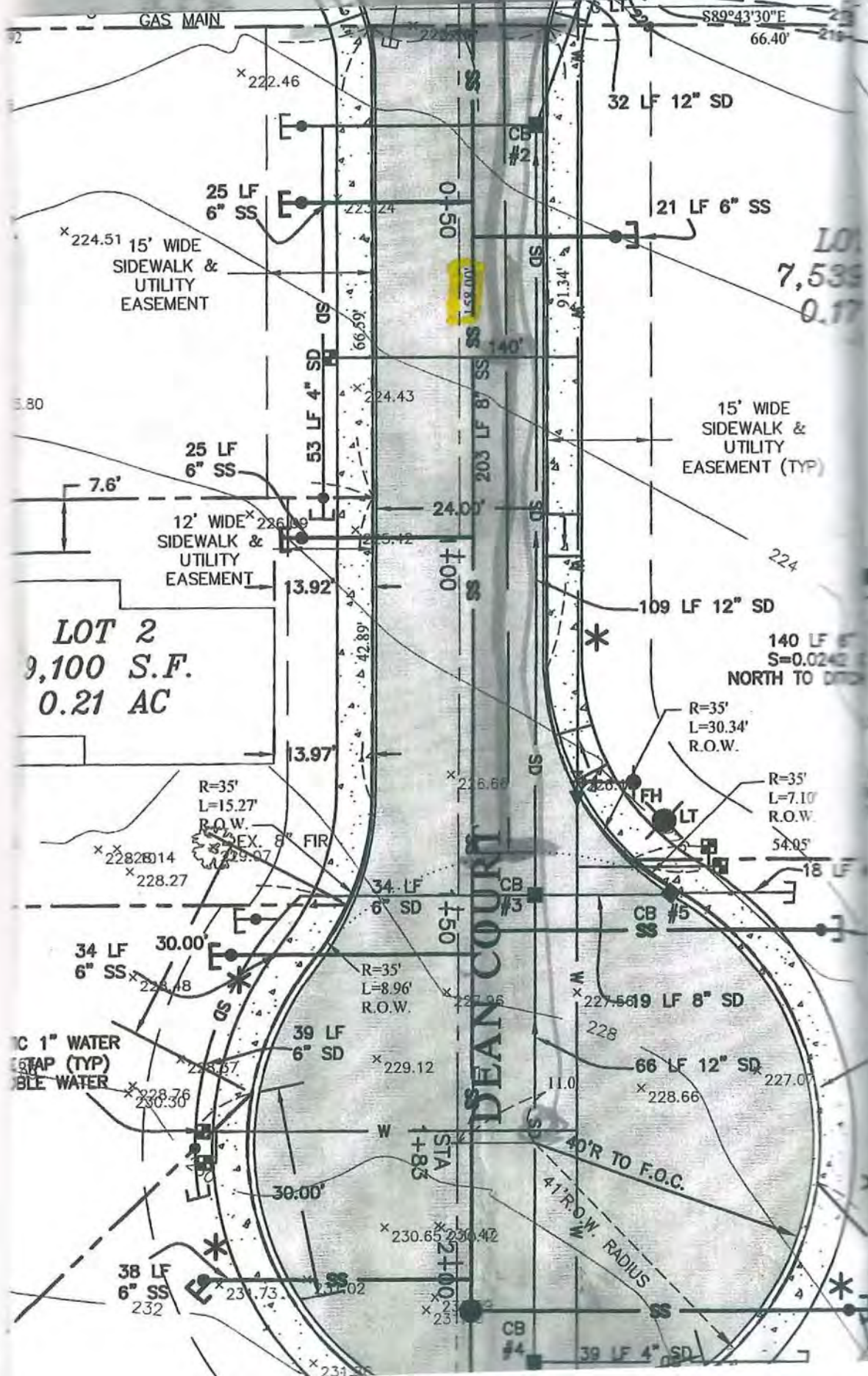
1 OF 4

Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING

1833 LINDAWOOD LANE, BOX 381
BURLINGTON, WA 98222
TEL: (360) 757-3048 FAX: (360) 757-3216

SHEET DESCRIPTION:

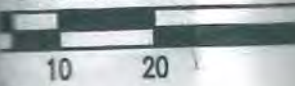
COVER



TYPICAL
LOT ACCESS LOCATION
"FRONT" OF LOT



SCALE: 1" = 20'



5" PERF SD
60 DOWNHILL
TO 90° BEND

IE 6" @ BEND &
CO=220.25

SHORT PL

PROJECT
BENCHMARK #1
EX. SSMH
ELEV. 215.68

REET

S89°41'10"E 295.00'

LOT 4
7,539 S.F.
0.17 AC

LOT 5
8,379 S.F.
0.18 AC

EX. HOUSE
TO REMAIN

LOT 6
7,501 S.F.
0.17 AC

ZONED: R-2
DEVELOPED AS SINGLE FAMILY

N00°36'24"E 289.85'

38th ST

DEAN COURT

ZONED: R-2
DEVELOPED AS SINGLE FAMILY

"K" STREET R.O.W.

N00°36'24"E
239.46

239.46

13.74'

13.86'

PROPOSED
20'x32'
GARAGE

3.00'

EX. HOUSE
TO REMAIN

LOT 2
9,100 S.F.
0.21 AC

LOT 1
7,512 S.F.
0.17 AC

LOT 3
7,571 S.F.
0.17 AC

222

224

5.81'

226

228

232

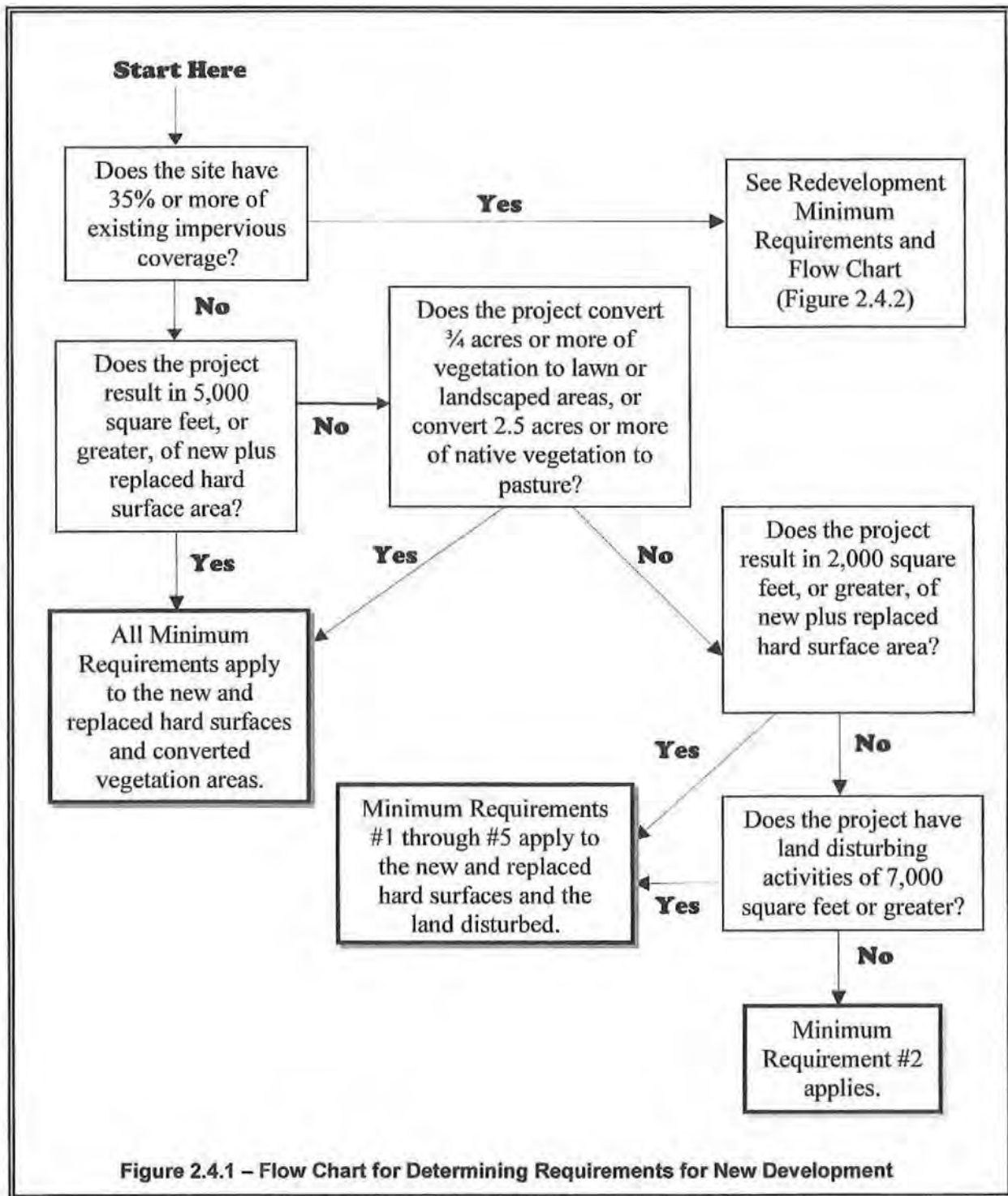
1+83.5

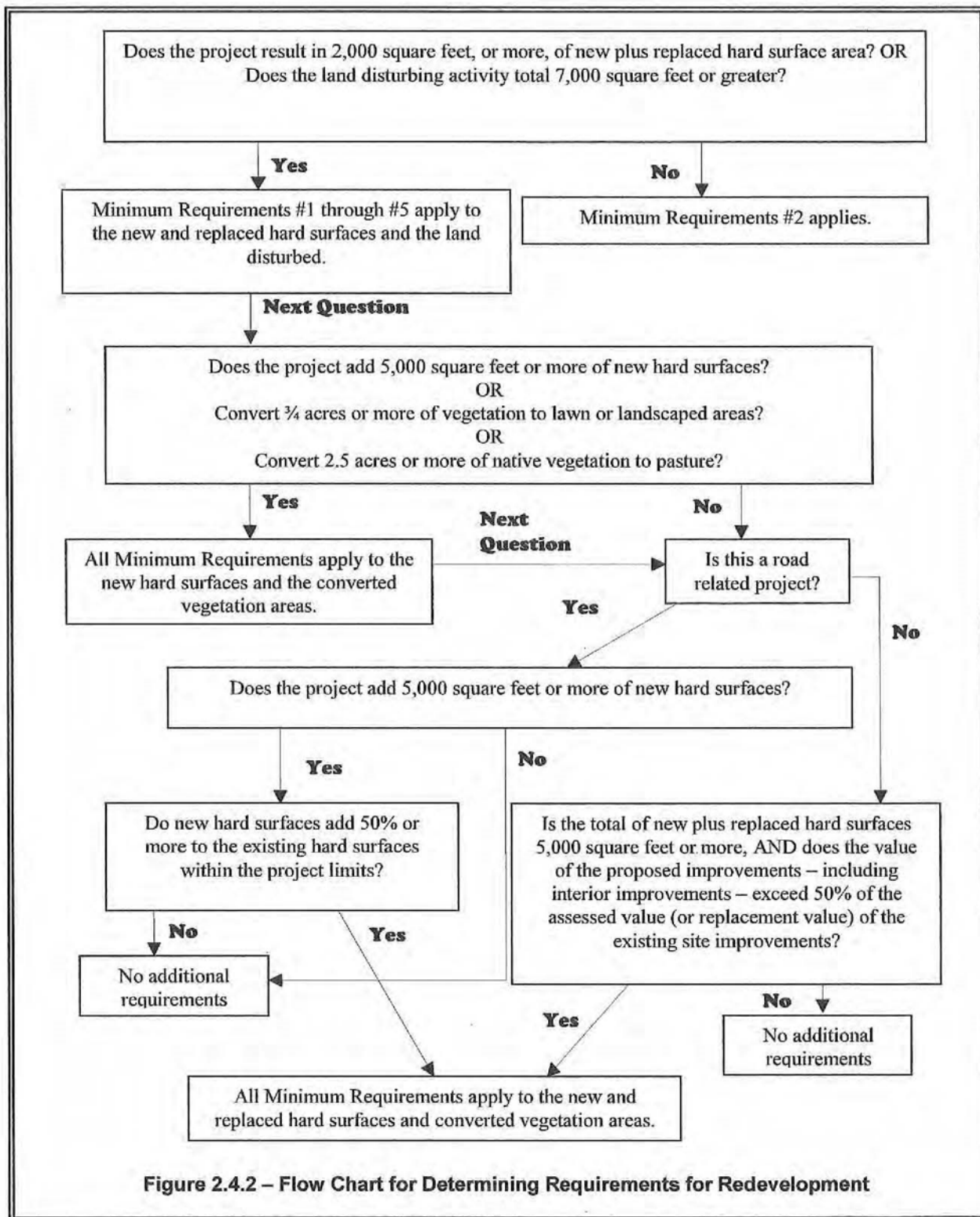
09+1

14+1

03+0

00+0







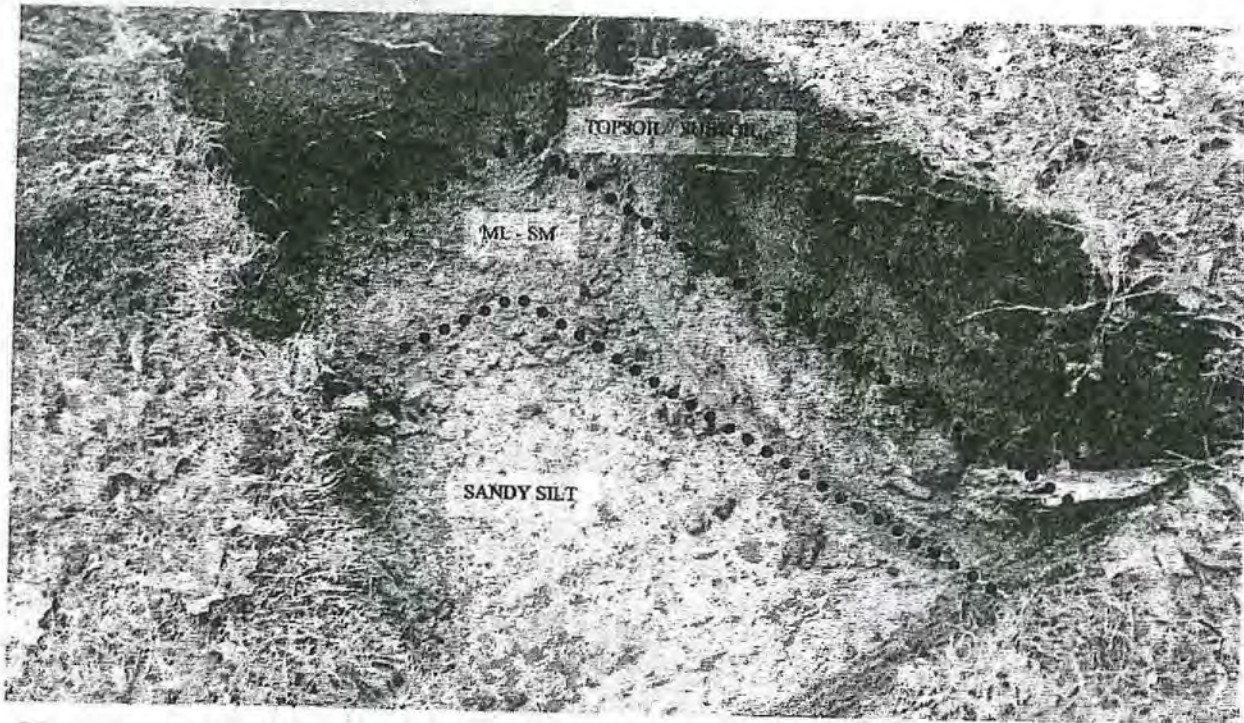


Photo C: Representative soil stratigraphy as viewed at TP-3 location in progress.



Photo D: Northeast corner of site looking west along proposed infiltration alignment. TP-3 location noted, TP-4 location to left of photo.

Appendix B. Photos of Site Exploration



Photo A: North-central end of site, looking west along proposed infiltration alignment. TP-2 is in foreground, TP-1 is in background.



Photo B: South end of proposed road alignment, looking north. Stakes indicate TP-6 location in foreground, TP-5 in background.

EXHIBIT G

**ADDITIONAL INFORMATION PROVIDED
TO CITY COUNCIL (DRAINAGE ANALYSIS, CITY
ATTORNEY'S LETTER TO PARTIES OF RECORD, &
PUBLIC HEARING RULES & PROCEDURES):**



ANACORTES LEGAL DEPARTMENT

P.O. BOX 547, ANACORTES, WA 98221-0547
DARCY SWETNAM, CITY ATTORNEY

PH (360) 299-1950
FAX (360) 293-1938

EMAIL: darcys@cityofanacortes.org

May 16, 2016

Steve Nicol
Attorney At Law
Nicol Law PLLC
Post Office Box 93
Mount Vernon, Washington 98273

Sara Holahan
1511 38th Street
Anacortes, Washington 98221

Re: 38th Street Short Plat
City of Anacortes File Number SPL-2015-0006

Dear Ms. Holahan and Mr. Nicol,

I write to provide a schedule for resolving the pending appeal of the above-referenced project. Section 16.08.040(B) AMC provides that appeals of tentative short plat approvals shall be scheduled for the "next available council agenda". Planning Director Don Measamer and I have reviewed the upcoming City Council agendas and have determined that the next available agenda is June 6, 2016.

To allow both parties the opportunity to present materials prior to the hearing and to ensure those materials are included in the City Council packet for the June 6th meeting, we must receive all documentation by the following dates:

- Applicant Response to Appeal and supporting documentation or exhibits: By noon on Friday, May 20th
- Appellant Reply to Applicant Response and supporting documentation or exhibits: By noon on Wednesday, May 25th

Please notify me by Wednesday, May 18th if you have conflicts with the above-described schedule.

The appeal hearing on June 6th will be an open record public hearing per Section 16.08.040(B) AMC and will be held at the regular City Council meeting at 6:00 PM in City Council chambers. Each party (Appellant and Applicant) will have fifteen (15) minutes to present their arguments, as well as an additional opportunity to rebut any opponent and public comments. Please be aware that Councilmembers may ask questions of the parties during the proceedings.

Nicol/Holahan

May 16, 2016

Page 2 of 2

For your reference, I have enclosed a guide entitled "Public Hearing Rules and Procedures", which summarizes procedural rules for public hearings before City Council. Please do not hesitate to contact me with any questions or concerns.

Sincerely,



Darcy Swetnam
City Attorney
City of Anacortes

cc: Don Measamer, Planning Director
Kevin Cricchio, Associate Planner

Enclosure: *Public Hearing Rules and Procedures*



PUBLIC HEARING RULES AND PROCEDURES

A Citizen's Guide to Public Hearings in the City of Anacortes

The purpose of a public hearing is to give everyone the opportunity to express their views, and to provide evidence in support of those views. These opinions and evidence create part of the record, which the Hearing Body relies on for its findings, conclusions, and decisions.

An Agenda is established for each hearing. The Hearing Body follows the Order of Business on the Agenda unless it is altered by a majority vote.

TYPES OF PUBLIC HEARINGS

Public hearings can generally be classified as either Quasi-Judicial or Legislative.

QUASI-JUDICIAL matters usually involve the property rights of a limited number of individuals and involve distinct proponents or opponents. These types of hearings are subject to stricter procedural standards than legislative matters. Examples are subdivisions and changes of zoning.

LEGISLATIVE matters usually involve issues of Community-wide scope. Examples are changes to ordinances. Legislative decisions are not subject to findings and Order.

TYPES OF HEARING BODIES

The Hearing Body may be one of the following:

- Anacortes City Council
- Planning Commission

HEARING PROCEDURES

These procedures apply to public hearings:

1. The individual presiding over the hearing will call the meeting to order and introduce each new item of business. This individual has the authority to take any necessary measures to control the hearing, to include closing the meeting, clearing the hearing room, and calling the public in one at a time to testify.
2. Members of the City Staff will introduce the Application.
3. Members of the Hearing Body may ask questions of the Planning Staff.

PUBLIC TESTIMONY

1. Anyone wishing to testify must sign in on the sign-in sheet located at the entrance to Council chambers.
2. All testimony before the Hearing Body must be given from the podium so that a transcribable record may be made. Spontaneous comments from the floor are not permitted.
3. Persons testifying are required to state their name and address for the record.
4. Any exhibits which are presented to the Hearing Body will be retained for the record.
5. **APPLICANT:** The Applicant will be given a suitable time period to present their proposal, which will be determined based on the meeting agenda and scope of the proposal.
6. **IN SUPPORT/NEUTRAL/OPPOSED:** Persons in support/neutral/opposed to the proposal will be given a suitable time period to present testimony. The Hearing Body may hear all of the testimony in support, in neutral, then all in opposition, or may alternate. Time limits for public testimony are generally 1 to 5 minutes.
7. **REBUTTAL:** The Applicant will be given a suitable time period to rebut testimony presented, which will be determined based on the meeting agenda and scope of the proposal.
8. The Hearing Body may ask questions during the presentation. Questions to the Applicant from the public must be addressed to the Hearing Body. The Hearing Body will determine whether to ask the question of the Applicant.

HEARING BODY DISCUSSION AND DELIBERATIONS

After closing public testimony, the Hearing Body will discuss the issue and may question the Planning Staff.

The Hearing Body may or may not make a recommendation at the public hearing. The Hearing Body's formal decision is a written report adopted by the Body, entitled "Findings of Fact, Conclusions of Law, and Decision".

The Motion: A recommendation or decision may be issued immediately following the discussion or it may be issued at a later date.

The Vote: The Hearing Body votes on the motion. The vote may be by roll call or, at the discretion of the Chairman, by voice vote.

RULES FOR SUBMITTING EXHIBITS

ALL EXHIBITS, SUCH AS PHOTOGRAPHS, MAPS, VIDEOS, SLIDES, DRAWINGS, OR CHARTS, WHICH ARE PRESENTED TO THE HEARING BODY, WILL BE RETAINED FOR THE RECORD.

ALL EXHIBITS SHALL INCLUDE THE FOLLOWING:

1. The name of the person submitting the exhibit.
2. The name of the person who took the pictures, slide, etc. or who created the chart or drawing.
3. If the exhibit consists of pictures, slides, or videos, the date they were taken.
4. A key mapping the location of each picture, slide, etc. to a site map.

These rules are designed to ensure a fair and orderly decision-making process and to promote public participation in the land use decisions rendered by your local government.

The Staff of the Anacortes Planning Department would be happy to explain this hearing process during office hours:

Monday through Friday, 8:00 a.m. to 5:00 p.m.

Anacortes Planning Department

904 6th Street, P.O. Box 547

Anacortes, Washington 98221

(360) 299-1986

Thank you!

PLEASE NOTE: This handout is for information purposes only, is in no way binding on the City or any party, and does not constitute legal advice. This handout is not intended to alter, amend, or supersede any provision of the Anacortes Municipal Code, but is merely intended to summarize certain sections. Parties are strongly encouraged to read all sections of the AMC relating to their hearing.

Ravnik & Associates, Inc.

CIVIL ENGINEERING & LAND-USE PLANNING

PRELIMINARY DRAINAGE REPORT
for
9-LOT RESIDENTIAL SHORT PLAT
on
38TH STREET
February 25th, 2016



This preliminary drainage report has been prepared to address the storm water design necessary to mitigate the runoff from the proposed residential development of nine single family lots on three parcels of land owned by Tom and Pam Allen. This report is preliminary in nature and is intended to be used for the Preliminary Short Plat submittal to the City of Anacortes for this project.

The residential development proposed herein is to occur on parcels P32055, P32056, and P32057 which are located within the City of Anacortes. The three parcels have a current address of 1411, 1415, and 1417 38th Street, Anacortes, Washington. Subdivisionally, the subject parcels are located within the Southeast 1/4 of Section 25, Township 35 N., Range 1 E.

The total project area consist of approximately 1.96 acres and is located on the south side of 38th Street, approximately 470 feet west of "M" Avenue. The property is generally sloped downhill northeasterly from the projects southwest corner with slopes from 5-6%. Please refer to the accompanying Existing Conditions Plan for the terrain conditions. There are two existing residences, a garage, and four out buildings located within the project site. These residences were constructed in 1955 and 1956 per Skagit County records. Along with the two existing single family houses and other out buildings within the on the site, there are two existing asphalt driveways and the remainder of the project site is grass-covered with various trees. Historical photographs from Skagit County's website, for the year 1969 confirms the historical use of the property as having residential activities and yard area with various trees.

The subject parcel is currently zoned Residential, R2, as shown on the attached zoning exhibit. Surrounding properties to the north, east, south, and west are also zoned Residential (R2).

Per the USDA Soil Survey, two types of onsite soils exist as denoted on the enclosed NRCS Soil Resource Report Exhibit attached. Within a small area at the southeast corner of the site, the soils are identified as Bow urban land complex (#20). Bow urban land complex is noted as being very deep somewhat poorly drained soil and having a hydrologic group classification of "D". The soils within the majority of the site are noted as Coveland gravelly loam (#35), a very deep, somewhat poorly drained soil also having

a hydrologic group classification of "D". Refer to the attached soils information from the National Resources Conservation Services and the Soils Conservation Services Soil Survey for Skagit County located within appendix C of the SEPA checklist submitted with this report.

In addition, MTC, Inc. has prepared a Geotechnical Report for this project, dated December 10th, 2015, which more specifically addresses the onsite soils for stormwater design purposes. A copy of this report is included within the short plat application being submitted with this report.

This preliminary report has been prepared to meet the requirements of the 2005 Department of Ecology Storm Water Manual and City of Anacortes regulations. The analysis represented herein, will be performed using the continuous Western Washington Hydrology Model (WWHM3), as incorporated in software created by Clear Creek Solutions. This methodology for calculating developed stormwater runoff rates is consistent with the requirements from the 2005 Department of Ecology Stormwater Management Manual. The WWHM software uses long-term local hourly precipitation, running HSPF in the background to generate 40+ years of hourly rainfall data. Stormwater runoff is computed for both pre-developed and post-developed land use conditions.

PRE-DEVELOPED CONDITIONS

The 1.96 acre area project area proposed for residential development herein exists today with two single-family residences, a garage, four out buildings, and three paved driveways, with the remainder of the site covered with maintained grass and sparse small trees. The two existing residences are to remain. The easterly of the existing residences is served by an asphalt driveway along the east side of the site which is to remain. The westerly of the existing residences is served by a driveway which is to be removed for the construction of the new plat road. This driveway will be relocated to the westerly side of the project, and extend southerly from 38th street within a panhandle area proposed to serve the existing residence.

The 1.96 acre basin area encompasses property where development will occur and will be used to determine the predeveloped flow duration curve which would generally determine the allowable stormwater detention and release system for a project. However if the project is drained by a conveyance system comprised entirely of manmade conveyance elements, has sufficient hydraulic capacity to convey runoff discharged from the site, and is discharged to a unrestricted salt water body (Fidalgo Bay), no Flow Control/Detention is required for this project. The City has recommended this design can be used if conveyance upgrades are made to the stormwater piping system at the intersection of 38th Street and M Avenue Street, located approximately 470 feet offsite to the east of the project. Per City staff the undersized piping at 38th and M is the only downstream capacity issues are located at this intersection.

Since no detention is required for this project, and analysis of the pre-developed condition is not necessary, it is included herein. Since the downstream subbasins have had greater than 40% total impervious surfaces since 1985, the pre-developed condition assumed will be the currently existing land cover conditions per the 2005 Department of Ecology Stormwater Manual Volume 1, Section 2.5.7.

The pre-developed compliance curve generated from the 1.96 acres of buildings, driveways, and lawn area is noted in the WWHM information as 501 POC1. The following is design information used to create the pre-developed analysis:

Basin Area = 1.96 acres

0.09 acres impervious (Ex. Houses to remain)

0.05 acres impervious (Ex. Out Buildings to be removed)

0.10 acres impervious (Ex. Asphalt)

1.72 acres lawn

1.96 acres

Based on the conditions listed above, representing design information for the Pre-developed basin, the following flow information was determined using WWHM software:

Flow Frequency Return Periods for Pre-developed. (501 POC #1)

<u>Return Period</u>	<u>Flow (cfs)</u>
2 year	0.1077
5 year	0.1743
10 year	0.2314
25 year	0.3209
50 year	0.4020
100 year	0.496943

POST-DEVELOPED CONDITIONS

Using WWHM, a flow duration curve is determined for the post-developed condition. This uses the combined flow generated by the addition of impervious surfaces from the development of the 9 residential lots proposed within the basin area. New driveways to serve new house sites will be constructed with a cross slope to direct runoff to disperse onto adjoining lawn areas. The dispersion of seven proposed driveways, each assumed to be 1,000 sf, will allow 7,000 sf (0.16 acres) of impervious area to be modeled as lawn. For the purposes of this report it will be assumed that each new house site will create 1,800 square feet of roof area, therefore eight (7 new + 1 future) homes equates to a total of 14,400 square feet (0.33 acres) of new impervious surface. A future home is accounted for within this analysis due to the fact that in the future Lot 9 may be further subdivided when allowed by City code, which would allow for one additional house. In addition to the new houses, a new garage building (24'x36') and driveway are proposed to serve the westerly existing residence located on proposed Lot 2. The resulting Post-developed, unmitigated flow information is noted as "801 POC 1" on the attached

WVHM exhibits. The following are the land cover characteristics of the basin area used to model the post-developed duration curves:

Basin Area = 1.96 acres

0.33 acres impervious (7 new houses + 1 future)
0.09 acres impervious (2 existing houses to remain)
0.02 acres impervious (New garage on proposed Lot 2)
0.19 acres impervious (Proposed road)
0.05 acres impervious (Proposed sidewalk)
0.03 acres impervious (Proposed Lot 2-relocated driveway, 1,200 sf)
0.16 acres pervious lawn/landscaping (lawn) *Dispersal credit for 7 new driveways*
1.09 acres pervious lawn/landscaping (lawn)
1.96 acres

Based on the proposed development using the information represented above, the following runoff rates were estimated to occur from the post-developed site condition as determined by WVHM software:

Flow Frequency Return Periods for Developed Condition. (801 POC #1)

<u>Return Period</u>	<u>Flow (cfs)</u>
2 year	0.202285
5 year	0.295597
10 year	0.367999
25 year	0.472456
50 year	0.56028
100 year	0.657191

DETENTION

As previously noted and confirmed by the City of Anacortes this project does not require detention for the development of this site as long as the applicant upsizes the downstream piping system at the intersection of 38th Street and M Avenue which receives runoff from this site. Per City staff the undersized pipes at this intersection are the only downstream conveyance restriction which would be impacted between the site downstream to Fidalgo Bay. With the upgrade of the piping at this intersection as requested by the City to 12-inch diameter, the fact that the site is discharged via an entirely manmade conveyance system with adequate capacity to convey runoff to the outfall at Fidalgo Bay, an unrestricted water body, no runoff control/detention is necessary per the City.

WATER QUALITY

Runoff from the impervious surfaces proposed with the development of this short will be provided basic water quality treatment prior to being discharged from the site based on the requirements of DOE's Figure 2.1-Runoff Treatment Facility Selection Flow Chart attached. No Oil or Phosphorous Control Facilities are required for this site per SMMWW Volume V Section 2.1. Runoff from impervious areas within the project basin

are collected via an underground storm piping system to be installed within the proposed road right of way and will be conveyed to the northeasterly corner of the site where they are discharged to a biofiltration swale located along the north property line of the project. The biofiltration swale has been designed to provide necessary stormwater treatment for runoff from impervious areas collected from the project area. Storm water routed through the biofiltration swale easterly, and will be discharged northeasterly to the new storm system to be installed within the southerly side of 38th Street. The new storm system in 38th Street conveys stormwater easterly to the existing open ditch along the south side of 38th which extends easterly, ultimately discharging into the City's underground storm system located at the intersection of 38th Street and M Avenue. Release of stormwater undetained from this 1.96 acre area is allowed because with the upsizing of storm piping at the intersection of 38th Street and M Avenue, there are no downstream restrictions to the discharge to an open water body (Fidalgo Bay).

Based on the areas and soil types and proposed development as previously noted, WWHM3 has calculated the 15-minute flow rate for On-Line Water Quality Flow Rate to be 0.0956 cfs. Attached at the end of this report are both the WWHM Report and a screen shot of the WWHM Water Quality View. Sizing of the biofiltration swale to treat the On-Line Water Quality Flow Rate of 0.0956 cfs from 1.96 acre basin was determined using Chows design procedure as directed by the 2005 DOE Stormwater Manual, Volume V, pages 9-4 through 9-11. This procedure resulted in the following design:

Biofiltration Swale

Min. Bottom Width: 2.00 feet

Length: 95 feet

Longitudinal Slope: 1.84%

Side Slopes: 3:1

For specific biofiltration swale calculations refer to spreadsheet titled "Design Calculations for Biofiltration Swale" attached at the end of this report.

DOWNSTREAM ANALYSIS:

As previously noted stormwater discharged from the site is conveyed easterly within the open ditch located along the southerly side of 38th Street approximately 310 feet before entering the west end of an existing six-inch diameter storm pipe that extends easterly approximately 160 feet to the southwest corner of the intersection of 38th Street and M Avenue. From the southwest corner of the intersection, runoff waters continue northerly beneath 38th street via a six-inch diameter pipe, then they cross M Avenue easterly within an eight-inch diameter pipe. From the northeast corner of the 38th and M intersection, water enters a 24-inch storm pipe system and continues north along the east side of M Avenue approximately 0.33 miles to 32nd Avenue where waters are then conveyed easterly within a 30-inch diameter storm pipe that ultimately discharges to Fidalgo Bay approximately 0.85 miles to the northeast of the project area.

Based on the City of Anacortes drainage maps it is estimated that 18.48 acres of land contributes runoff to the westerly side of the intersection of 38th Street and M Avenue, including the subject property as noted on the "18.48 Ac Sub-Basin Exhibit" attached at the end of this report. Per information provided for "Sub-Basin F4" denoted within the City's 2007 Storm Water Management Plan prepared by Grey and Osborne 68% impervious and 32% pervious surfaces will be assumed for the 18.48 acre sub-basin area. Using WWHM3 the developed 25-year runoff rate was determined to generate a 6.34 cfs flow which must be conveyed through the piping system within the westerly side of the 38th and M intersection. Based on Manning's equation a 12-inch diameter pipe with a 2.75% slope is estimated to have a conveyance capacity of 6.40 cfs, which is adequate. The existing six and eight inch diameter storm pipes within the west side of this intersection will be upsized by this project with 12-inch diameter pipe installed with a minimum 2.75% slope.

From the intersection of 38th and M a 24-inch diameter storm pipe extends downhill northerly approximately 860 feet to 35nd Street which is a 0.25 miles downstream of the project area. Based on the City's Drainage maps a 117.05 acre contributing basin is assumed to contribute stormwater to this intersection. Refer to the "117.05 Ac Sub-Basin Exhibit" included within the end of this report. Again assuming 68% impervious/32% pervious surface for the developed condition of this 117.05 acres the 25-year runoff rate is calculated to be 44.49 cfs. Per City utility records the existing 24-inch piping from 38th north to 35th street is estimated have an average slope downhill north of 3.4%. Using Manning's equation a 24-inch diameter pipe with a 3.4% slope has the capacity to convey 45.17 cfs, which is greater than 44.49 cfs needed, therefore there is sufficient capacity to serve the contributing basin area.

Views of the flow frequency values for both the 18.48 acre and 117.05 acre basin as determined by WWHM3 are attached at the end of this report,

CONCLUSION:

A majority of the storm water runoff from the proposed impervious surfaces from residential development will be collected by and underground storm system and catch basins located within the proposed new roadway and conveyed to the biofiltration swale designed to provide water quality prior to being discharged from the northeast corner of the site. Runoff from the project is then conveyed easterly to the existing drainage ditch located along the southerly side of 38th Street which conveys water easterly approximately 470 feet to the intersection of "M" Avenue and 38th Street. From the intersection of 38th and M, runoff waters are conveyed northerly within 24-inch diameter concrete storm pipe along the east side of "M" Avenue approximately 1,780 feet, then east in 32nd Street via a 30-inch storm pipe, ultimately discharging to Fidalgo Bay via a 48-inch diameter pipe located approximately one mile to the northeast of the site, just easterly of the intersection of 28th Avenue and "T" Avenue.

This project will upsize the undersized 6-inch and 8-inch storm drainage piping existing at the 38th Street and M Avenue intersection, as the downstream analysis notes this

portion of the existing City' storm system does not have sufficient capacity to convey the runoff volumes being conveyed to the west side of this intersection, as noted previously within this report. The remaining storm system to ¼ mile downstream of the project area, north of the 38th and M intersection has sufficient capacity to convey runoff for up to the 25-year storm event based on conservative calculations noted within this report. According to the City with replacement of the offsite undersized pipes (6-inch and 8-inch diameter) within the west side of the 38th and M intersection with 12-inch diameter pipes, there are no additional downstream restrictions or conveyance problems. Since the runoff from the site will be discharged to an entirely manmade conveyance system with adequate capacity to convey runoff to the outfall at Fidalgo Bay, no runoff control/detention is necessary.

Water quality treatment will be provided for the removal of petroleum particulates, sediments, and nutrients from storm runoff prior to it being released from the site. Water quality measures at this time are assumed to be achieved by the incorporation of a 95-foot long grass-lined biofiltration swale with a 2-foot bottom width. The biofiltration swale will be designed to "treat" runoff generated from the developed site prior to them being discharged from the site. The sizing of the biofiltration swale conforms the requirements of the 2005 Department of Ecology Stormwater Manual and the City of Anacortes.





Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING

100 LINDAMOOD LANE/PO. BOX 36
BURLINGTON, WA 98223
TEL: (360) 797-0846 FAX: (360) 797-2216



SHEET DESCRIPTION:

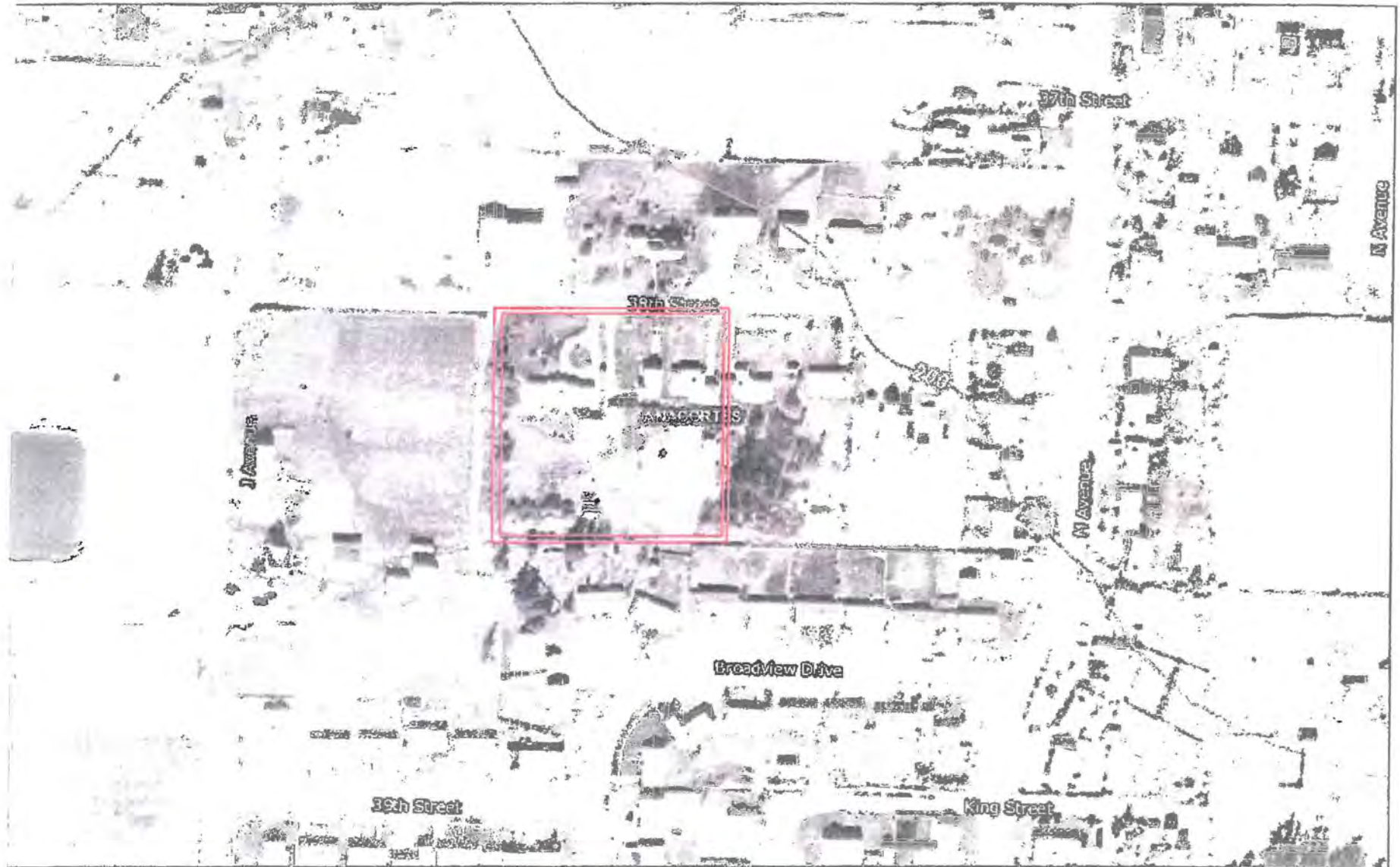
**AERIAL
PHOTO**

SCALE: 1"=200'

DRAWN BY: D. REMSEN

JOB NO. 15030

DATE: 08.10.15



December 7, 2015

City Names	Regional Labels
Road Labels	500 foot contours
Hydro Labels	100 foot contours

1969 Aerial Photo
from
Skagit County iMap

1:2,257

0	0.0175	0.035	0.07 mi
0	0.03	0.06	0.12 km

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and

Western Washington Hydrology Model
PROJECT REPORT

Project Name: 02.15.16
Site Address:
City :
Report Date : 2/15/2016
Gage : Burlington
Data Start : 1948/10/01
Data End : 1999/09/30
Precip Scale: 0.83
WWHM3 Version:

PREDEVELOPED LAND USE

Name : Pre Developed
Bypass: No

GroundWater: No

<u>Pervious Land Use</u>	<u>Acres</u>
C, Lawn, Mod	1.72

<u>Impervious Land Use</u>	<u>Acres</u>
ROOF TOPS FLAT	0.14
SIDEWALKS MOD	0.1

Element Flows To:		
Surface	Interflow	Groundwater

Name : Developed
Bypass: No

GroundWater: No

<u>Pervious Land Use</u>	<u>Acres</u>
C, Lawn, Mod	1.25

<u>Impervious Land Use</u>	<u>Acres</u>
ROADS MOD	0.19
ROOF TOPS FLAT	0.44
DRIVEWAYS MOD	0.03
SIDEWALKS MOD	0.05

Element Flows To:		
Surface	Interflow	Groundwater

MITIGATED LAND USE

ANALYSIS RESULTS

Flow Frequency Return Periods for Predeveloped. POC #1

<u>Return Period</u>	<u>Flow(cfs)</u>
2 year	0.107649
5 year	0.174264
10 year	0.231372
25 year	0.320902
50 year	0.401969
100 year	0.496943

Flow Frequency Return Periods for Mitigated. POC #1

<u>Return Period</u>	<u>Flow(cfs)</u>
2 year	0.202285
5 year	0.295597
10 year	0.367999
25 year	0.472456
50 year	0.56028
100 year	0.657191

Yearly Peaks for Predeveloped and Mitigated. POC #1

<u>Year</u>	<u>Predeveloped</u>	<u>Mitigated</u>
1950	0.242	0.332
1951	0.106	0.193
1952	0.205	0.299
1953	0.123	0.228
1954	0.184	0.305
1955	0.083	0.149
1956	0.071	0.123
1957	0.069	0.125
1958	0.150	0.273
1959	0.101	0.187
1960	0.082	0.134
1961	0.120	0.224
1962	0.067	0.135
1963	0.073	0.201
1964	0.087	0.147
1965	0.089	0.208
1966	0.293	0.558
1967	0.056	0.137
1968	0.114	0.330
1969	0.123	0.279
1970	0.062	0.122
1971	0.167	0.342
1972	0.156	0.241
1973	0.080	0.150
1974	0.085	0.176
1975	0.116	0.193
1976	0.462	0.557
1977	0.180	0.306

1978	0.082	0.148
1979	0.136	0.271
1980	0.087	0.168
1981	0.204	0.296
1982	0.106	0.186
1983	0.113	0.203
1984	0.102	0.174
1985	0.119	0.191
1986	0.072	0.185
1987	0.084	0.147
1988	0.078	0.131
1989	0.305	0.438
1990	0.061	0.164
1991	0.140	0.235
1992	0.239	0.338
1993	0.121	0.211
1994	0.073	0.127
1995	0.048	0.139
1996	0.059	0.127
1997	0.159	0.265
1998	0.540	0.679
1999	0.095	0.197
2000	0.059	0.118

Ranked Yearly Peaks for Predeveloped and Mitigated. POC #1

Rank	Predeveloped	Mitigated
1	0.5405	0.6789
2	0.4619	0.5576
3	0.3055	0.5575
4	0.2934	0.4378
5	0.2419	0.3422
6	0.2395	0.3376
7	0.2050	0.3321
8	0.2043	0.3300
9	0.1836	0.3061
10	0.1802	0.3047
11	0.1673	0.2990
12	0.1590	0.2960
13	0.1563	0.2790
14	0.1497	0.2734
15	0.1404	0.2714
16	0.1365	0.2650
17	0.1235	0.2414
18	0.1228	0.2352
19	0.1214	0.2276
20	0.1198	0.2242
21	0.1185	0.2114
22	0.1155	0.2083
23	0.1139	0.2028
24	0.1127	0.2015
25	0.1062	0.1971
26	0.1059	0.1934
27	0.1015	0.1930
28	0.1005	0.1911
29	0.0954	0.1873
30	0.0892	0.1856

31	0.0868	0.1849
32	0.0866	0.1764
33	0.0847	0.1738
34	0.0839	0.1680
35	0.0834	0.1641
36	0.0817	0.1495
37	0.0816	0.1488
38	0.0799	0.1484
39	0.0779	0.1469
40	0.0732	0.1468
41	0.0731	0.1392
42	0.0718	0.1374
43	0.0707	0.1355
44	0.0691	0.1337
45	0.0667	0.1308
46	0.0617	0.1273
47	0.0609	0.1272
48	0.0586	0.1249
49	0.0586	0.1230
50	0.0563	0.1222
51	0.0476	0.1176

Water Quality BMP Flow and Volume for POC 1.
On-line facility volume: 0.0925 acre-feet
On-line facility target flow: 0.01 cfs.
Adjusted for 15 min: 0.0956 cfs.
Off-line facility target flow: 0.0515 cfs.
Adjusted for 15 min: 0.0539 cfs.

Perlnd and Implnd Changes

No changes have been made.

This program and accompanying documentation is provided 'as-is' without warranty of any kind. The entire risk regarding the performance and results of this program is assumed by the user. Clear Creek Solutions and the Washington State Department of Ecology disclaims all warranties, either expressed or implied, including but not limited to implied warranties of program and accompanying documentation. In no event shall Clear Creek Solutions and/or the Washington State Department of Ecology be liable for any damages whatsoever (including without limitation to damages for loss of business profits, loss of business information, business interruption, and the like) arising out of the use of, or inability to use this program even if Clear Creek Solutions or the Washington State Department of Ecology has been advised of the possibility of such damages.

Design Calcs for Biofiltration Swale-Allen Short Plat #15030

(Serving 1.96 acre Basin Area)

I. Preliminary Steps

P-1. Water quality design flow rate (cfs) from the WWHM Model: Total Basin Area: 1.96 ac
 $Q = 0.096$ cfs Adjustment Factor: 2.50 (Since using WWHM WQ Rates)

P-2. Assume the slope is 1.84 percent.

P-3. Assume vegetation will be a grass-legume mixture and moderate-frequency of mowing.

II. Design for Biofiltration Swale Capacity

D-1. Set winter grass height at 5" and the design flow depth (y) at 3 inches

D-2. Use $n = 0.20$ to $n_2 = 0.30$

D-3. Base the design on a trapezoidal shape, with a side slope $Z = 3$.

D-4a. Calculate the bottom width, b:

Where:

$n = 0.2$ $y = 0.25$ ft

$Q = 0.1$ cfs, $s = 0.0184$

$Z = 3$

$$b = \frac{(AF) \times Q \times n}{1.49 Y^{1.67} S^{0.5}} - Zy$$

$b = 1.64$ ft Min. width, If b1 is greater than max. value (10 ft) then investigate using divider

$b = 2.00$ ft (Choose to use 2.00 ft for swale bottom)

D-4b. Calculate the top width (T):

$$T = b + 2yZ$$

$$T = 3.50$$
 ft

D-5. Calculate the cross-sectional area (A):

$$A = by + Zy^2$$

$$A = 0.69$$
 ft²

D-6. Calculate the flow velocity (V):

$$V = \frac{Q}{A} \text{ ft/s}$$

$$V = 0.139$$
 ft/s

$$V = 0.139 < 1.0 \text{ ft/s OK}$$

D-7. Calculate the length (L)

$$L = Vt \text{ (60sec/min)}$$

$$L = 75.09$$
 ft

$t = 9$ min per DOE

Trial No.	b (ft)	T (ft)	A (ft ²)	V (ft/s)	L (ft)
2	2.00	3.00	0.69	0.139	75.09
3	2.50	3.75	0.81	0.118	63.54
4	3.00	4.50	0.94	0.102	55.07
5	3.50	5.25	1.06	0.090	48.59
6	4.00	6.00	1.19	0.081	43.47
7	4.50	6.75	1.31	0.073	39.33
8	5.00	7.50	1.44	0.067	35.91
9	5.50	8.25	1.56	0.061	33.04
10	6.00	9.00	1.69	0.057	30.59
11	6.50	9.75	1.81	0.053	28.48
12	7.00	10.50	1.94	0.049	26.64
13	7.50	11.25	2.06	0.046	25.03
14	8.00	12.00	2.19	0.044	23.60

Based on the geometry of the site, a bottom width=2.00 ft & length of 75.09 ft are suitable for the site.



Analysis



Run Analysis

Water Quality

On-Line BMP

24 hour Volume
(acre feet)

0.0925

Standard Flow Rate (cfs)

0.0913

15 Minute Flow Rate

0.0958

Off-Line BMP

Standard Flow Rate (cfs)

0.0515

15 Minute Flow rate

0.0539

Durations

Flow Frequency

Water Quality

Hydrograph

Wetland Fluctuation

Analyze datasets

Show wetland fluctuation program. Do analysis from inside the program.

501 POC1 Predeveloped flow

501 POC1 15 Minute Flow

All Datasets Flow Stage Precip Evap POC1

Flood Frequency Method

☒ Log Pearson Type III 17B

☐ Weibull

☐ Cunnane

☐ Quasi

Acres





chematic

SCENARIOS

☒ Predeveloped

☐ Mitigated

Run Scenario

ELEMENTS



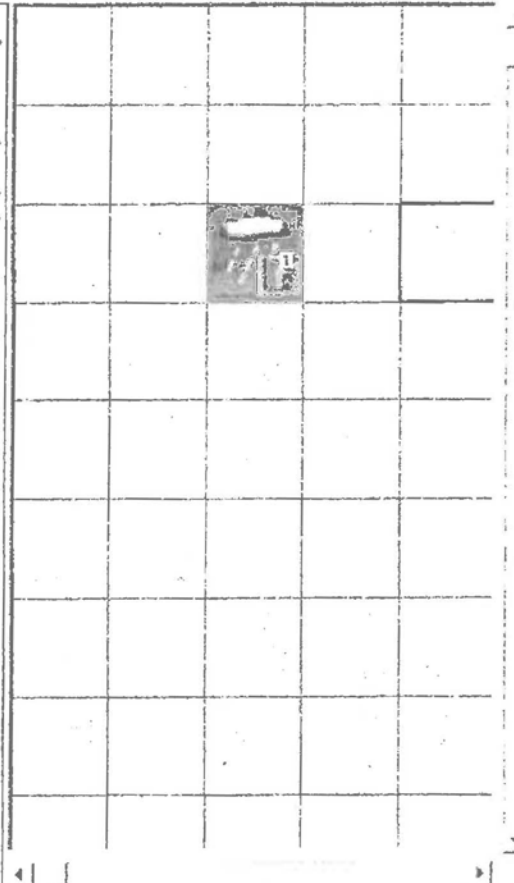
Move Elements



Save xy Load xy

X 40

Y 12



Basin 1 Predeveloped

Subbasin Name: Pre Developed

Flows To : Surface Interflow Groundwater

Area in Basin

☐ Show Only Selected

Available Pervious

☐ A/B Forest Flat	0
☐ A/B Forest Mod	0
☐ A/B Forest Steep	0
☐ A/B Pasture Flat	0
☐ A/B Pasture Mod	0
☐ A/B Pasture Steep	0
☐ A/B Lawn Flat	0
☐ A/B Lawn Mod	0
☐ A/B Lawn Steep	0
☐ C Forest Flat	0
☐ C Forest Mod	0
☐ C Forest Steep	0
☐ C Pasture Flat	0
☐ C Pasture Mod	0
☐ C Pasture Steep	0
☒ C Lawn Flat	0
☒ C Lawn Mod	1.72
☐ C Lawn Steep	0

Pervious Total 1.72 Acres

Available Impervious

☐ ROADS/FLAT	0
☐ ROADS/MOD	0
☐ ROADS/STEEP	0
☒ ROOF TOPS/FLAT	0.14
☐ DRIVEWAYS/FLAT	0
☐ DRIVEWAYS/MOD	0
☐ DRIVEWAYS/STEEP	0
☐ SIDEWALKS/FLAT	0
☒ SIDEWALKS/MOD	0.1
☐ SIDEWALKS/STEEP	0
☐ PARKING/FLAT	0
☐ PARKING/MOD	0
☐ PARKING/STEEP	0
☐ POND	0

Impervious Total 0.24 Acres

Basin Total 1.96 Acres

Deselect Zero

Select By:

GO





chematic

SCENARIOS

☐ Predeveloped

☒ Mitigated

Run Scenario

ELEMENTS



Move Elements

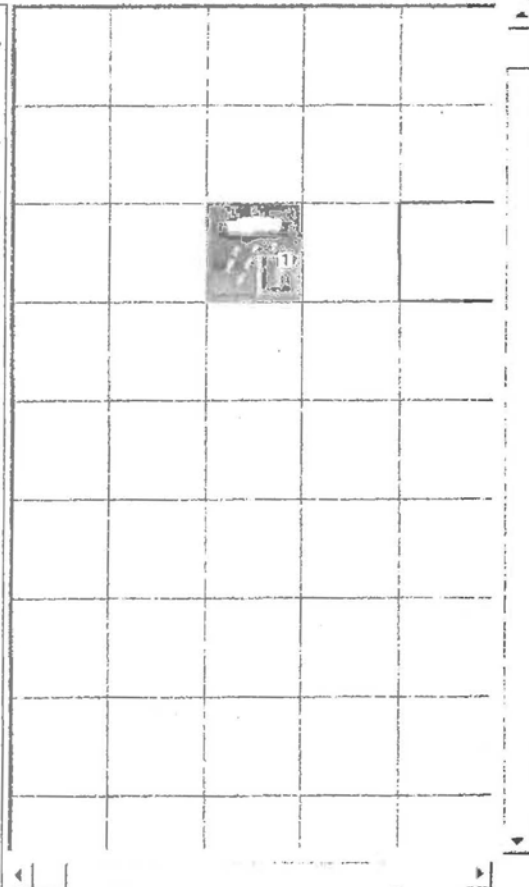


Save xy

Load xy

X 40

Y 12



Basin 1 Mitigated

Subbasin Name: ☐ Designate as Bypass for POC

Flows To:

Area in Basin

☐ Show Only Selected

Available Pervious

☐ A/B Forest Flat	0
☐ A/B Forest Mod	0
☐ A/B Forest Steep	0
☐ A/B Pasture Flat	0
☐ A/B Pasture Mod	0
☐ A/B Pasture Steep	0
☐ A/B Lawn Flat	0
☐ A/B Lawn Mod	0
☐ A/B Lawn Steep	0
☐ C Forest Flat	0
☐ C Forest Mod	0
☐ C Forest Steep	0
☐ C Pasture Flat	0
☐ C Pasture Mod	0
☐ C Pasture Steep	0
☒ C Lawn Flat	0
☒ C Lawn Mod	1.25
☐ C Lawn Steep	0

Available Impervious

☐ ROADS/FLAT	0
☒ ROADS/MOD	0.19
☐ ROADS/STEEP	0
☒ ROOF TOPS/FLAT	0.44
☐ DRIVEWAYS/FLAT	0
☒ DRIVEWAYS/MOD	0.03
☐ DRIVEWAYS/STEEP	0
☐ SIDEWALKS/FLAT	0
☒ SIDEWALKS/MOD	0
☐ SIDEWALKS/STEEP	0
☐ PARKING/FLAT	0
☐ PARKING/MOD	0
☐ PARKING/STEEP	0
☐ POND	0

Pervious Total 1.25 Acres

Impervious Total 0.71 Acres

Basin Total 1.96 Acres

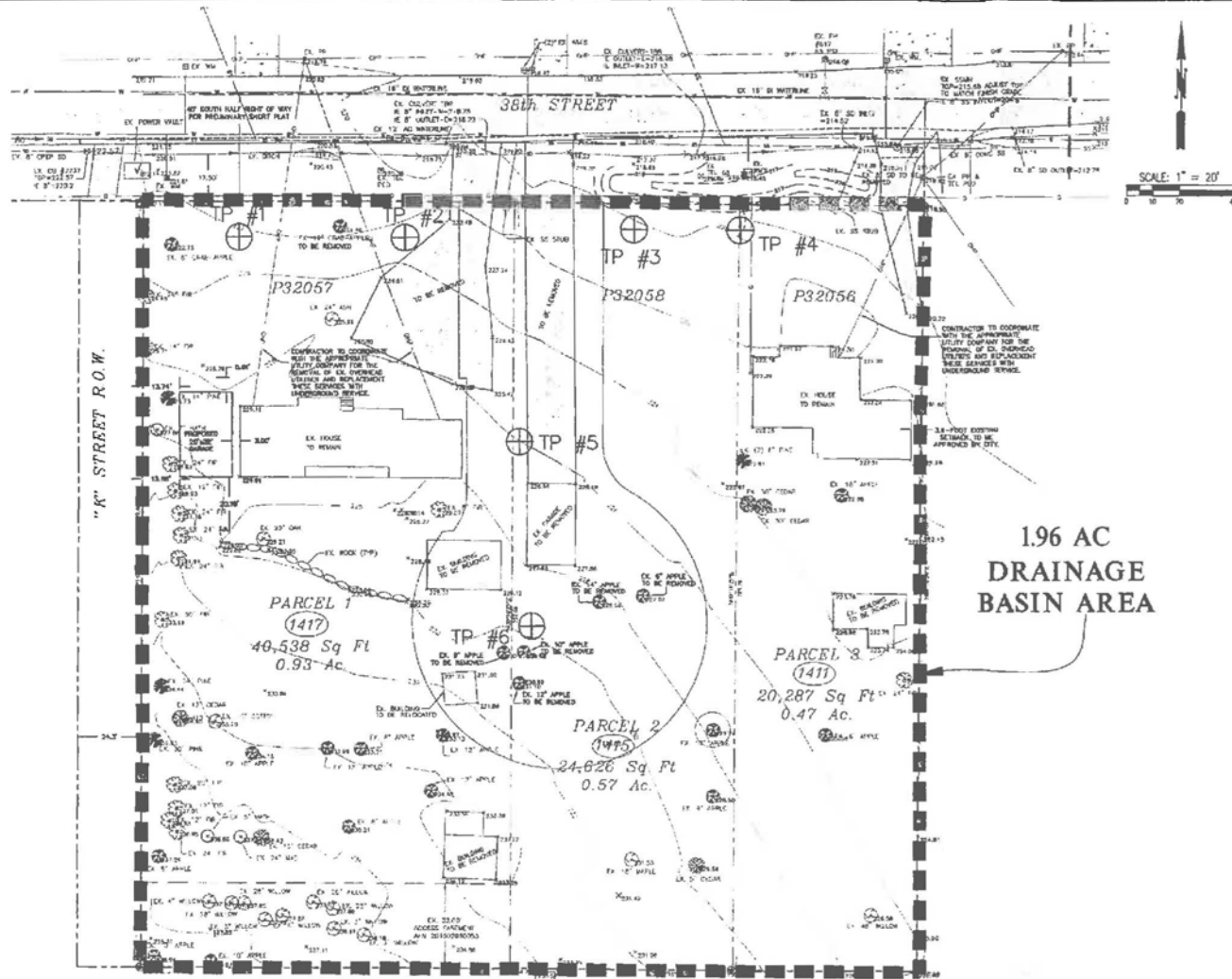
Deselect Zero

Select By

GO



CALL TWO
BUSINESS DAYS
BEFORE YOU DIG
"811"



REV. NO.	REVISION	DATE	BY	APPROVED

Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING
1633 LINDAMOOD LANE/PO. BOX 348
BURLINGTON, WA 98220
PH: (360) 707-2848 FAX: (360) 707-2226

SHEET DESCRIPTION:

EXISTING CONDITIONS EXHIBIT

PLAN STATUS:

SCALE: 1"=20'

DRAWN BY: D. REWSEN

CHECKED BY: J. RAVNIK

DATE: 12.07.15

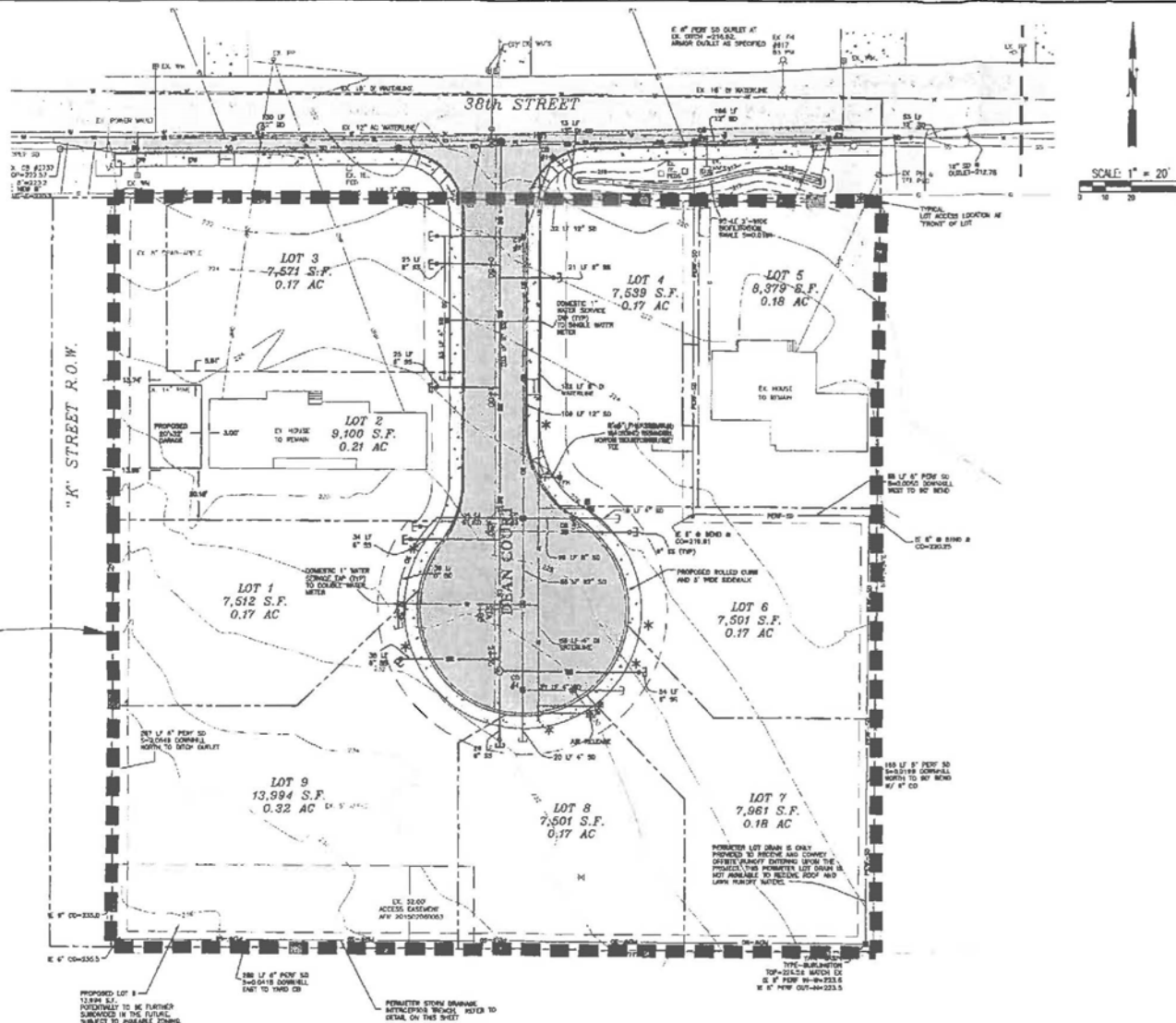
SHEET TITLE:

**9-LOT SHORT PLAT
FOR
TOM ALLEN**
SECTION 25, T. 35 N., R. 1 E., W.M.

DRAWING NO.
150330 SITE.dwg
JOB NO.
150330
SHEET NO.
1 OF 2

CALL TWO
BUSINESS DAYS
BEFORE YOU DIG
"811"

1.96 AC
DRAINAGE
BASIN AREA



REV. NO.	REVISION	DATE	BY	APPROVED

Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING



1431 LINDAMOOD LANE/P.O. BOX 361
BURLINGTON, WA 98220
PH: (360) 507-2444 FAX: (360) 507-2216

SHEET DESCRIPTION:

SITE PLAN

PLAN STATUS:

SCALE: AS NOTED
DRAWN BY: J. REVISION
CHECKED BY: J. RAVNIK
DATE: 12.03.15

SHEET TITLE:

**9-LOT SHORT PLAT
FOR
TOM ALLEN**
SECTION 25, T. 35 N., R. 1 E., W.M.

DRAWING NO.
150003 SITE.dwg
JOB NO.
150030
SHEET NO.
2 OF 2

Standard Requirement

The following requirement applies to the geographic areas west of the Cascades, including all of the following counties:

Clallam	Jefferson	Pacific	Snohomish
Clark	King	Pierce	Thurston
Cowlitz	Kitsap	San Juan	Wahkiakum
Grays Harbor	Lewis	Skagit	Whatcom
Island	Mason	Skamania	

Stormwater discharges shall match developed discharge durations to pre-developed durations for the range of pre-developed discharge rates from 50% of the 2-year peak flow up to the full 50-year peak flow. The pre-developed condition to be matched shall be a forested land cover unless:

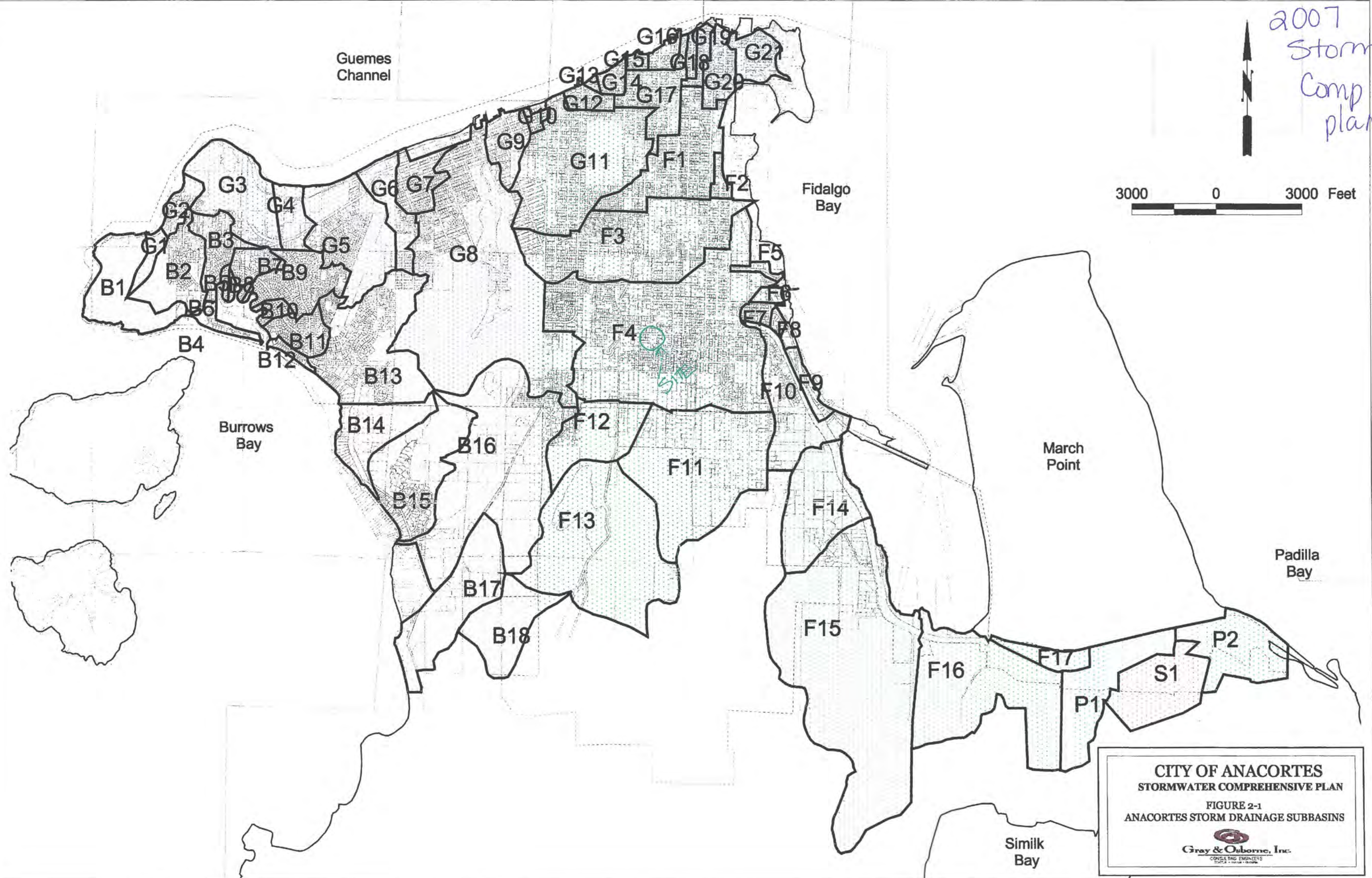
1) reasonable, historic information is provided that indicates the site was prairie prior to settlement (modeled as “pasture” in the Western Washington Hydrology Model); or,

2) the drainage area of the immediate stream and all subsequent downstream basins have had at least 40% total impervious area since 1985. In this case, the pre-developed condition to be matched shall be the existing land cover condition. Where basin-specific studies determine a stream channel to be unstable, even though the above criterion is met, the pre-developed condition assumption shall be the “historic” land cover condition, or a land cover condition commensurate with achieving a target flow regime identified by an approved basin study.

This standard requirement is waived for sites that will reliably infiltrate all the runoff from impervious surfaces and converted pervious surfaces.

Western Washington Alternative Requirement

An alternative requirement may be established through application of watershed-scale hydrological modeling and supporting field observations. Possible reasons for an alternative flow control requirement include:



2007
Storm
Comp
plan

3000 0 3000 Feet

CITY OF ANACORTES
STORMWATER COMPREHENSIVE PLAN
FIGURE 2-1
ANACORTES STORM DRAINAGE SUBBASINS

Gray & Osborne, Inc.
CONSULTING ENGINEERS
EST. 1964

TABLE 2-2 – (continued)

Anacortes Subbasin Areas and Land Cover

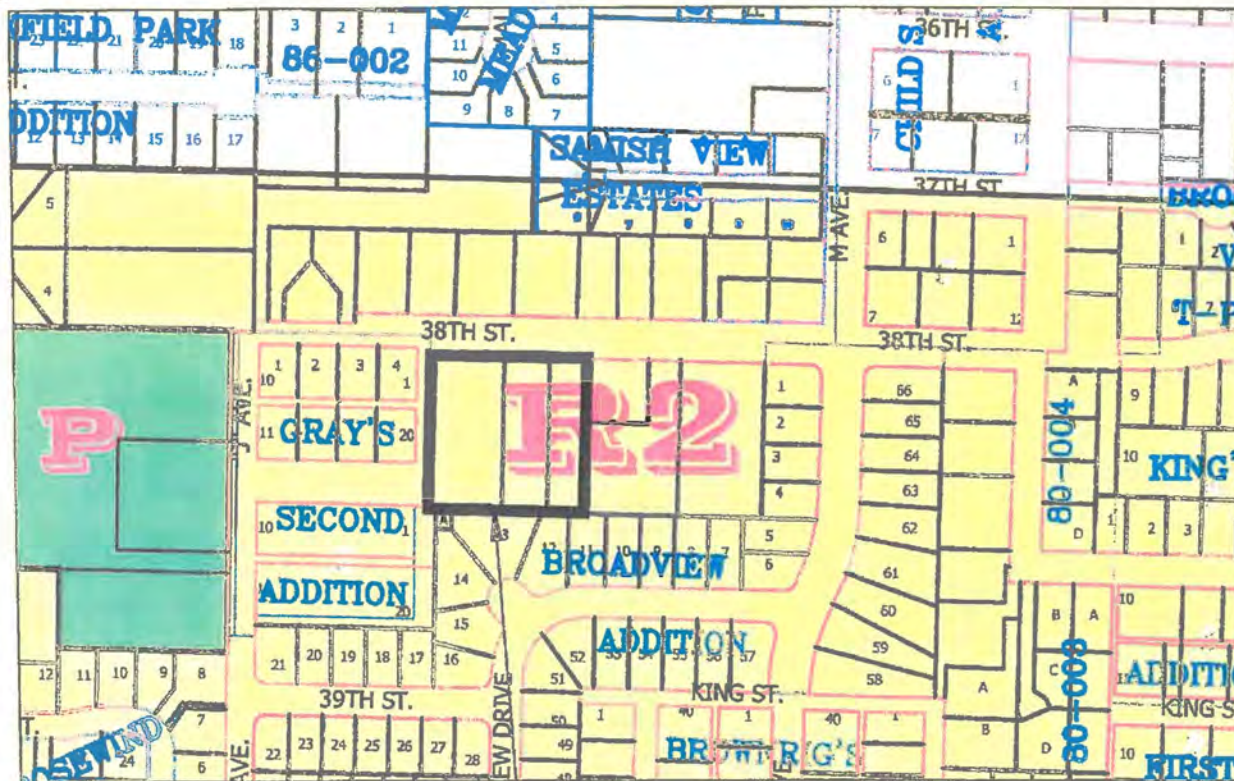
Drainage Basin	Subbasin Name	Subbasin Area (acres)	1994 Plan Basin No. ⁽¹⁾	Outfall No.	Percent Forested	Percent Impervious	Percent Pervious
Burrows Bay	B18	84.9	38		N/A	N/A	N/A
	B19	137.6	43		N/A	N/A	N/A
	Total	2,201					
Fidalgo Bay	F1	197.7	40	40	0	65	35
	F2	16.3	40		0	65	35
	F3	376.0	28	41	16	42	42
	F4	65.0	29	42	0	68	32
	F5	718.3	26, 27, 30, 32	43	10	44	46
	F6	12.4	31	45	0	65	35
	F7	18.7	31	46	0	60	40
	F8	8.4	31		0	60	40
	F9	28.0	48	48, 49, 50, 51	0	60	40
	F10	158.4	48	52	0	65	35
	F11	424.0	32	F5	70	15	15
	F12	140.7	33	F5	70	15	15
	F13	489.0	39	F5, F12	75	20	5
	F14	200.0	40	53, 54	0	65	35
	F15	858.8	41	55 – 61	0	65	35
	F16	387.4		62, 63	0	70	30
	F17	42.7			0	70	30
	Total	4,142					
Padilla Bay	P1	174.6			0	65	35
	P2	159.5			0	65	35
	Total	334					
Similk Bay	S1	160.6			0	70	30
	Total	161					

N/A – Not Available, Outside City of Anacortes Aerial Photography

TABLE 2-2

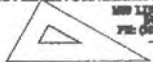
Anacortes Subbasin Areas and Land Cover

Drainage Basin	Subbasin Name	Subbasin Area (acres)	1994 Plan Basin No. ⁽¹⁾	Outfall No.	Percent Forested	Percent Impervious	Percent Pervious
Guemes Channel	G1	23.8			90	5	5
	G2	32.9		13	50	30	20
	G3	175.2			30	50	20
	G4	53.5			0	65	35
	G5	218.7	15	14	10	52	37
	G6	82.47	13, 14	15	43	27	30
	G7	66.8	13	16	9	57	34
	G8	757.69	13, 25	18	45	42	13
	G9	66.9	12	19	42	36	22
	G10	11.5	12	20	15	50	35
	G11	364.6	11, 12	21	53	29	18
	G12	27.5	7	22	0	55	45
	G13	4.3	7	23	0	60	40
	G14	21.2	7	24	0	60	40
	G15	10.0	7	25	0	60	40
	G16	21.8	7	26	0	60	40
	G17	100.3	8	27	0	40	60
	G18	12.8	6	28	0	85	15
	G19	21.9	4, 5, 9	29	0	87	13
	G20	57.5	3, 4, 5	31	0	96	4
	G21	59.0	1, 2	33	0	65	35
	Total	2,190					
Burrows Bay	B1	148.4			90	5	5
	B2	117.7	19	12	36	46	19
	B3	69.3	18	4	31	46	24
	B4	23.9	18	11	0	60	40
	B5	6.6	17	10	0	70	30
	B6	4.5	17	9	0	65	35
	B7	38.2	17	8	1	59	40
	B8	3.9	17	7	20	35	45
	B9	113.5	16	6	6	60	34
	B10	72.8	20	5	0	48	52
	B11	12.5	21	3	0	40	60
	B12	299.6		2	43	24	34
	B13	123.2	24	1	N/A	N/A	N/A
	B14	221.2	36		N/A	N/A	N/A
	B15	532.1	35		N/A	N/A	N/A
	B16	63.8	34		N/A	N/A	N/A
	B17	127.5	37		N/A	N/A	N/A



LEGEND:	
[Pink Box]	AZ = AIRPORT ZONE
[White Box]	C = COMMERCIAL
[Light Blue Box]	CBD = CENTRAL BUSINESS
[Light Green Box]	CM = COMMERCIAL MARINE
[Light Yellow Box]	CM1 = COMMERCIAL MARINE (1)
[Light Orange Box]	CM2 = COMMERCIAL MARINE (2)
[Light Purple Box]	HM = HEAVY MANUFACTURING
[Light Blue Box]	I = INDUSTRIAL
[Light Green Box]	LM = LIGHT MANUFACTURING
[Light Yellow Box]	LM1 = LIGHT MANUFACTURING (1)
[Light Orange Box]	MS = MANUFACTURING / SHIPPING
[Light Green Box]	P = PUBLIC USE
[Light Blue Box]	R4 = RESIDENTIAL HIGH DENSITY
[Light Yellow Box]	R4A = RESIDENTIAL HIGH DENSITY TWO (A)
[Light Orange Box]	R4B = RESIDENTIAL HIGH DENSITY TWO (B)
[Light Green Box]	R3 = RESIDENTIAL MEDIUM DENSITY
[Light Blue Box]	R3 = OLD TOWN OVERLAY DISTRICT
[Light Yellow Box]	R2 = RESIDENTIAL LOW DENSITY
[Light Orange Box]	R1 = RESIDENTIAL LOW DENSITY

Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING



1000 LINDSEY LANE, BOX 100
PORTSMOUTH, VA 23705
TEL: (804) 797-0000 FAX: (804) 797-0005

SCALE: NTS
DRAWN BY: CUE
CHECKED BY: HAN
DATE: 10.30.16

SHEET TITLE:

ZONING MAP

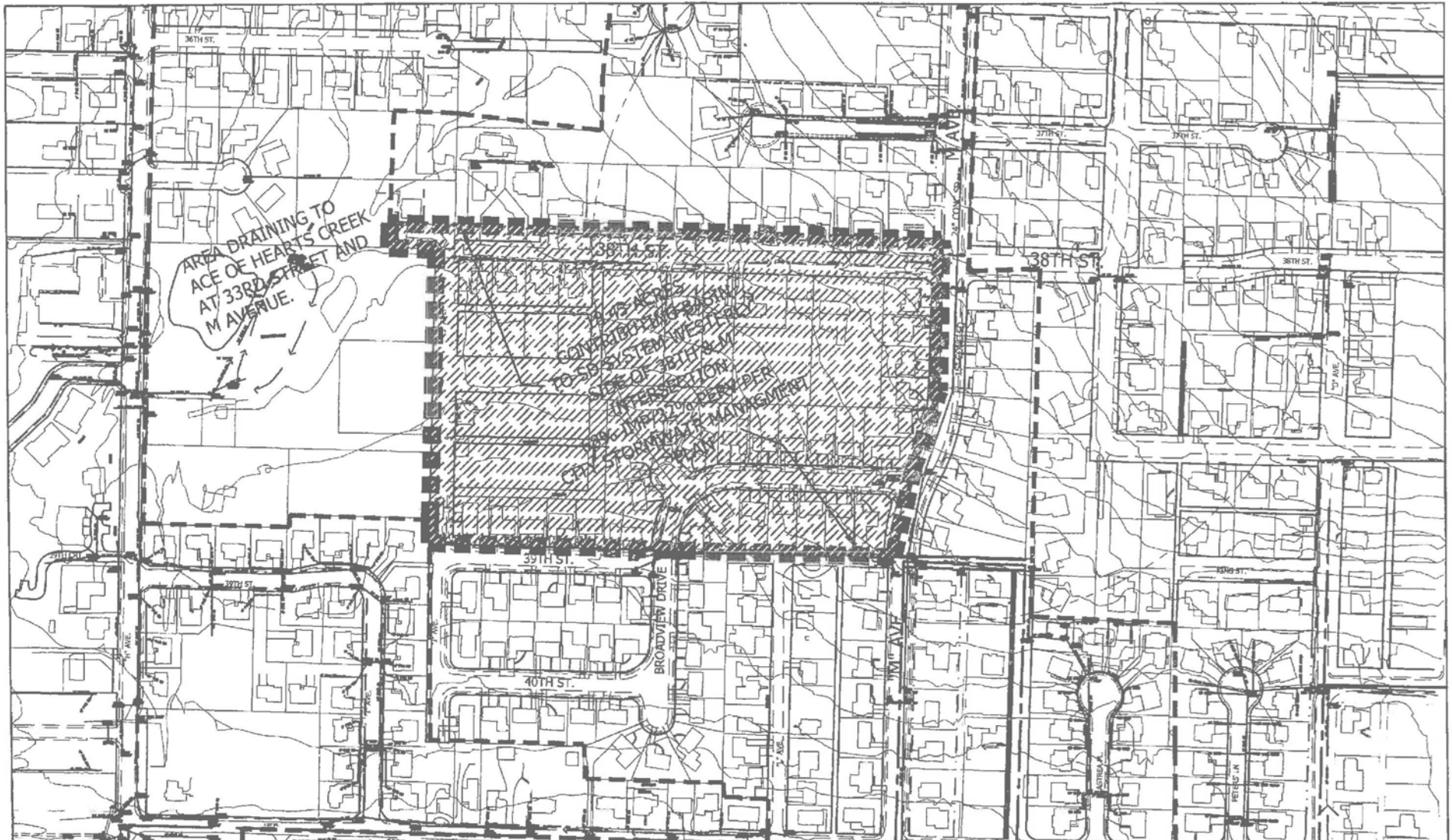
DRAWING NO.
10006.ZONING.DWG

JOB NO.
10030

SHEET NO.
1 OF 1

SHEET DESCRIPTION:

**9-LOT RESIDENTIAL
38TH ST. SHORT PLAT
FOR
TOM ALLEN**



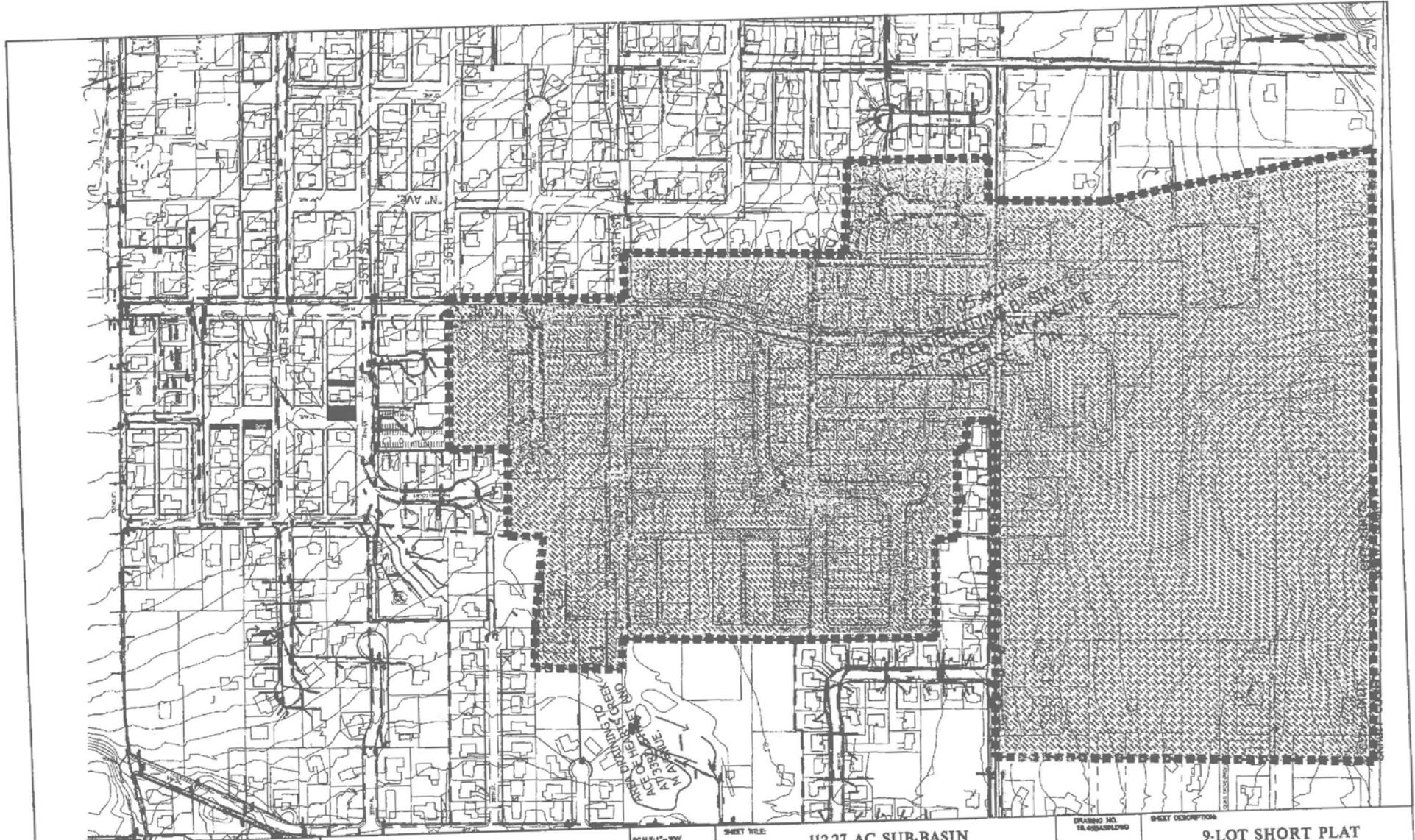
Ravnik & Associates, Inc.
 CIVIL ENGINEERING & LAND-USE PLANNING
 1613 LINDAMOOD LANE/P.O. BOX 361
 BURLINGTON, WA 98231
 TEL: (360) 797-2048 FAX: (360) 797-2216

SCALE: 1"=300'
 DRAWN BY:
 CHECKED BY:
 DATE: 02.23.18

SHEET TITLE:
18.48 AC SUB-BASIN
 (CONTRIBUTING TO
 WESTERLY SIDE OF THE 38TH STREET
 & M AVENUE INTERSECTION)

DRAWING NO.
 18.48SUB-BASIN
 JOB NO.
 18030
 SHEET NO.

SHEET DESCRIPTION:
9-LOT SHORT PLAT
 FOR
TOM ALLEN (DEVELOPER)
 SECTION 25, T. 35 N., R. 1 E., W.M.



Ravnik & Associates, Inc.
 CIVIL ENGINEERING & LAND-USE PLANNING
 1833 LINDAMOOD LANE, P.O. BOX 361
 BURLINGTON, WA 98233
 PH: (360) 797-3048 FAX: (360) 797-2216

SCALE: 1"=300'
 DRAWN BY:
 CHECKED BY:
 DATE: 02.22.16

SHEET TITLE:
112.27 AC SUB-BASIN
 (CONTRIBUTING TO
 35TH STREET & M AVENUE INTERSECTION)

DRAWING NO.
 16.000404000
 JOB NO.
 13030
 SHEET NO.

SHEET DESCRIPTION:
9-LOT SHORT PLAT
 FOR
TOM ALLEN (DEVELOPER)
 SECTION 25, T. 35 N., R. 1 E., W.M.

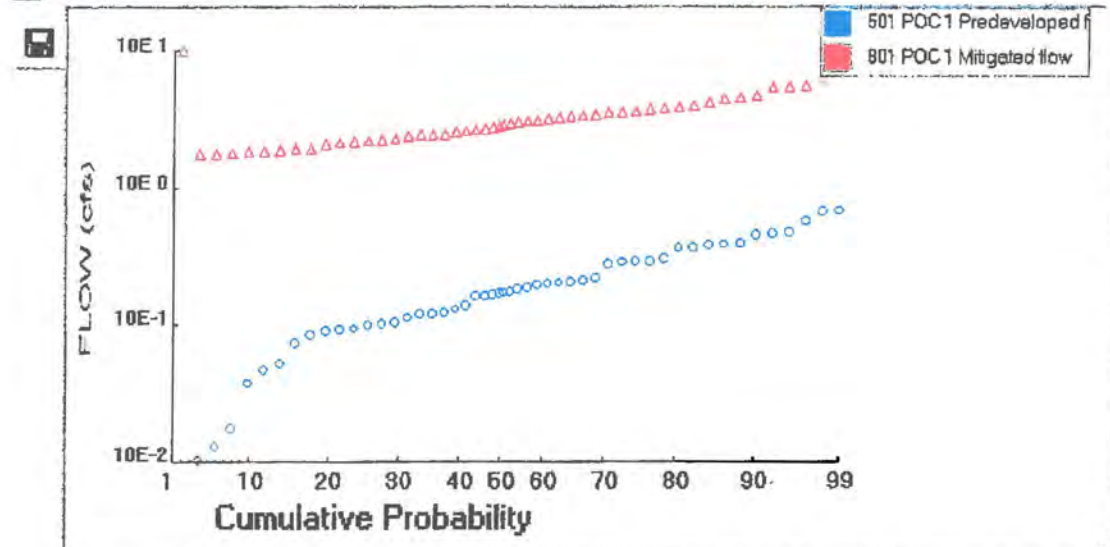
15030

WWHM3 18.43 acre basin

File Edit View Help



Analysis



Durations Flow Frequency Water Quality Hydrograph Wetland Fluctuation

Analyze datasets

501 POC1 Predeveloped flow
 801 POC1 Mitigated flow

All Datasets Flow Stage Precip Evap POC1

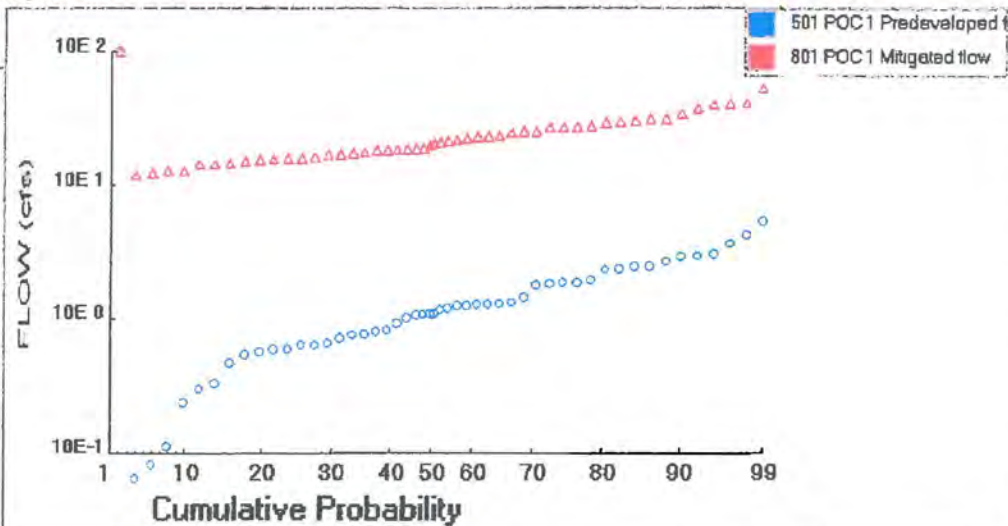
Flood Frequency Method
☒ Log Pearson Type III 17B
☐ Weibull
☐ Gumbel
☐ Gamma

Flow Frequency		
Flow (CFS)	Predeveloped	Mitigated
2 Year =	0.1843	3.0106
5 Year =	0.3853	4.2191
10 Year =	0.5381	5.1064
25 Year =	0.7405	6.3366
50 Year =	0.8927	7.3299
100 Year =	1.0431	8.3922
Yearly Peaks		
1949	0.4848	3.8743
1950	0.3743	2.8442
1951	0.2911	3.6463
1952	0.2047	3.1339
1953	0.0902	3.9334
1954	0.1391	2.4715
1955	0.1626	1.7866
1956	0.1748	1.8703
1957	0.2801	4.0106
1958	0.1212	2.7469
1959	0.3707	1.9479
1960	0.1990	3.8014
1961	0.1003	2.2327
1962	0.0102	3.3989
1963	0.1016	1.9064
1964	0.1689	3.4679
1965	0.2972	8.2256
1966	0.0739	2.2492
1967	0.1847	5.4906
1968	0.3964	4.5178
1969	0.0850	1.8117
1970	0.0376	5.6225
1971	0.4627	3.2875
1972	0.2006	2.2089
1973	0.1043	2.5847
1974	0.3981	2.6870

Downstream
 18.48 AC



Analysis



Durations Flow Frequency Water Quality Hydrograph Wetland Fluctuation

Analyze datasets

501 POC1 Predeveloped flow
801 POC1 Mitigated flow

All Datasets Flow Stage Precip Evap POC1

Flood Frequency Method

- ☒ Log Pearson Type III 17B
- ☐ Weibull
- ☐ Gumbel
- ☐ Gamma

Flow Frequency

Flow (CFS)	0501	0801
2 Year =	1.1844	21.4077
5 Year =	2.4970	29.8279
10 Year =	3.5001	35.9962
25 Year =	4.8339	44.4863
50 Year =	5.8397	51.3311
100 Year =	6.8354	58.6339

Yearly Peaks

Year	0501	0801
1949	4.3385	30.2817
1950	2.3712	18.8889
1951	1.8468	27.7932
1952	1.3007	24.5450
1953	0.5714	31.5939
1954	0.9322	16.3242
1955	1.0299	14.2268
1956	1.1062	11.8495
1957	1.7823	26.8605
1958	0.7671	18.7425
1959	2.3549	15.7154
1960	1.2602	25.2317
1961	0.6350	15.2076
1962	0.0649	23.2274
1963	0.6433	15.4492
1964	1.0678	23.0073
1965	1.8840	56.5562
1966	0.4685	16.0844
1967	1.1696	40.2344
1968	2.5227	29.3144
1969	0.5385	14.6415
1970	0.2385	41.3271
1971	2.9214	21.2442
1972	1.2708	15.8896
1973	0.6609	19.8278
1974	2.5190	18.3430

DOWNSTREAM
117.05 ac

EXHIBIT H

PCED'S PRESENTATION TO CITY COUNCIL:



CITY COUNCIL

Open-Record Public Hearing

June 6, 2016

By: Kevin Cricchio, AICP, Associate Planner

SPL-2015-0006:

PROJECT NAME:

38th Street Short Plat

PROJECT LOCATION:

The subject property is located on the south side of 38th Street between “M” Avenue and “J” Avenue within a portion of Section 25; Township 35 North; Range 01 East; Willamette Meridian

SUBJECT PARCELS:

P32057, P32056, & P32055

SUBJECT PROPOSAL:

Appeal of administratively approved nine (9) Lot Short Plat per AMC 16.08.040. The subject short plat was administratively reviewed, processed, and approved.

APPLICANT /& LANDOWNER:

Tom Allen
Allen Family Investments, LLC
P.O. Box 817
Anacortes, WA 98221

SPL-2015-0006:

PROJECT ENGINEER:

John Ravnik
Ravnik & Associates
PO Box 361
Burlington, WA 98233

PROJECT SURVEYOR:

Parish Surveying
PO Box 314
Lopez Island, WA 98261

CURRENT ZONING:

Residential (R2) Zoning District

COMP PLAN DESIGNATION:

Residential Low Density

SPL-2015-0006:

SURROUNDING ZONING & LAND USES:

Direction:	Zoning:	Land Uses:
North:	Residential (R2) Zoning District	Single-Family Residential
South:	Residential (R2) Zoning District	Single-Family Residential
East:	Residential (R2) Zoning District	Single-Family Residential
West:	Residential (R2) Zoning District	Single-Family Residential

SPL-2015-0006:

LOT SQUARE FOOTAGE & ACREAGE:

Net Square Footage	85,451 square feet	Net Acreage	1.96 Acres
Gross Square Footage	100,767.93 square feet which includes 15,316.93 SQ' of ½ the abutting ROW + NSF above.	Gross Acreage	2.31 Acres

SPL-2015-0006:

MAXIMUM DENSITY:

1. The maximum permitted density in the R2 Zoning District is four (4) dwelling units per gross acre pursuant to AMC § 17.36.070.
2. The applicant proposes a project density of 3.9 dwelling units per gross acre (9 DU/ 2.31 Gross Acre).
3. The applicant has applied for nine (9) dwelling units /lots as part of the subject short plat application.

MINIMUM LOT SIZE:

1. The minimum lot size for lots created in the R2 Zoning District is 7,500 square feet per lot pursuant to AMC § 17.36.050.
2. Each of the nine (9) lots that the applicant proposes as part of the subject short plat will comply with the zone's minimum lot size requirement.

SPL-2015-0006:

PROJECT CHRONOLOGY:

1. On August 25, 2015, a pre-application conference /DRG meeting was held by staff with the applicant concerning the subject short plat.
2. On December 24, 2015, the applicant/landowner submitted the subject short plat application to the City of Anacortes' Planning Department for review.
3. The subject application was deemed incomplete on January 20, 2016. Additional revisions were requested in the letter of incomplete.
4. On March 3, 2016, revisions were submitted by the applicant to the City for review.
5. Following a review of the revisions submitted, the subject short plat was deemed complete on March 16, 2016.
6. The 15-day public comment period for the subject short plat ended at 5:00 PM on March 31, 2016.
7. On April 21, 2016, the subject short plat was tentatively approved by the Planning Director.

SPL-2015-0006:

NOTICE OF APPLICATION:

1. A Notice of Application with Optional SEPA DNS was published in the Anacortes American Newspaper on March 16, 2016.
2. This notice was also posted on the subject property in two (2) different locations on March 11, 2016.
3. Notice was also posted at the library, city hall, the local USPS office, and on the City's website on March 11, 2016.
4. Neighboring landowners of property within 300-feet of the subject property were mailed the Notice of Application on March 11, 2016.
5. Departments and agencies of jurisdiction were also solicited for comment on March 12, 2016.
6. The 15-day public comment period ended at 5:00 PM on March 31, 2016.

SPL-2015-0006:

CRITICAL AREAS:

1. No known critical areas are located either on or within 300 feet proximity to the subject property.

TREE PRESERVATION:

1. According to AMC 16.50.050, a tree preservation plan is required as part of a short plat application. Accordingly, the applicant had Urban Forestry Services of Mount Vernon, Washington, prepare a tree preservation plan dated February 25, 2016.
2. According to this report there are a total of fifty-eight (58) significant trees located on the project site of which the applicant proposes to retain a total of twenty-one (21) significant trees.
3. Since the subject property is 85,451 net square feet in area, the developer is required to have a minimum of eight-six (86) tree unit credits. The twenty-one (21) trees that the applicant wishes to retain add up to ninety-eight (98) tree unit credits. Therefore, conformance with AMC Chapter 16.50 has been met.

SPL-2015-0006:

SEPA ENVIRONMENTAL REVIEW:

1. The creation of five (5) lots or more via a short plat requires SEPA environmental review pursuant to AMC § 16.080.010.
2. Notice of Application with Optional SEPA DNS was run concurrent with the Notice of Application as discussed above.
3. On March 14, 2016, the Notice of Application with Optional SEPA DNS, application material, and site plan(s) associated with a proposed 9 lot short plat was emailed to the SEPA register for posting.
4. On April 21, 2016, a SEPA MDNS was issued.
5. The SEPA MDNS was emailed to the SEPA Register on April 21, 2016, for posting onto the SEPA Register.

TRANSPORTATION:

1. The proposed short plat be accessed by a new short cul-de-sac public road off of 38th Street which is designated as a local residential street.
2. As conditioned, the proposed short cul-de-sac will not exceed 150-feet in length.

SPL-2015-0006:

NOTICE OF DECISION:

1. A Notice of Decision of tentative approval was mailed to parties of record and landowners within 300 feet of the subject property on April 21, 2016. Additionally, notice was posted on to the City's website on April 21, 2016.
2. The fifteen (15) day appeal period ended at 5:00 PM on May 6, 2016.

APPEALS RECEIVED:

1. On May 3, 2016, the City of Anacortes received an appeal from neighboring landowner Mr. Sean Kelly who resides at 1501 38th Street, Anacortes, WA. Following the filing of the appeal, Mr. Kelly met with the applicant /landowner regarding the concerns expressed therein.
2. On May 6, 2016, Mr. Sean Kelly submitted a letter stating that his appeal was withdrawn following reaching a satisfactory agreement with the applicant /landowner – Mr. Tom Allen.
3. On May 6, 2016, an appeal was received from neighboring landowner Ms. Sara Holahan who resides at 1511 38th Street, Anacortes, WA.

SPL-2015-0006:

NOTICE OF HEARING:

1. A Notice of Hearing concerning the appeal of the administratively approved 38th Street Short Plat was published in the Anacortes American Newspaper on May 25, 2016.
2. Notice was posted at city hall, the library, the local USPS office, and on the city's website on May 18, 2016.
3. The Notice of Hearing was also mailed to the applicant/ landowner, appellant, parties of record, and neighboring landowner on May 23, 2016.
4. The project site was posted with the Notice of Hearing in two different locations on May 19, 2016.

SPL-2015-0006:

APPELLANTS ASSIGNMENTS OF ERROR:

1. “The submitted plan for storm water contains several inaccuracies, including the projected volume, errors on reference maps and incorrect use of terms. There are not enough specifications of the proposed mitigation. It is listed as a 13/raingarden. These are two very different solutions and there needs to be clarity of what is being constructed, who will maintain it, and if it even has the capacity to meet current required Department of Ecology standards for storm filtration for clean water. This is an area of class C/D soils as described in the submitted documents, and is not suitable for a small-scale (2' as proposed} bioswale. Please see attached Department of Ecology guidelines.”
2. “There are mistakes with the setup back dimensions, thus making the placing of nine lots in this acreage too dense. For example, there needs to be a 15' sidewalk easement in the cul-de-sac, but the site map shows only 12' from the existing house on lot 2, not even from the lot line.”

SPL-2015-0006:

APPELLANTS ASSIGNMENTS OF ERROR:

3. “Anacortes Municipal Code says that access to residential homes must be on developed streets. Short-plats may only allow for six accesses. The other three lots were to be accessed from 38th St. However, the planning department has provided conflicting information about this. They illegally gave the developer approval to build a garage and driveway from undeveloped K Avenue, while responding to parties of record that NO access will be allowed from K Avenue. In fact, on the original site map posted and mailed to residents, it does not clearly indicate street access to the lots.”
4. “The tree preservation plan is inadequate. The fact that the developer plans to remove significant mature evergreens from the lot line (lots 1 and 9) along K Avenue, further indicates plans to access the property from that side. There are additional tree canopy requirements related to using a bioswale to treat storm water.”

SPL-2015-0006:

APPELLANTS ASSIGNMENTS OF ERROR:

- 5.“ This short-plat will intrude on an established neighborhood in a negative way and is not consistent with the 2012 Comprehensive Plan. It violates #3, “Promote compatible land uses and improve visual appearance in each and every zoning district”. This neighborhood is zoned R2, with single family homes well landscaped, and all fronting on 38th St. Putting two lots one in front of the other facing 38th St. completely degrades the visual appearance of this neighborhood. Sidewalks without planting strips also provide no relief from the huge increase in hard surface and residences and do not meet landscape requirements.”
6. The Planning Department should have incorporated existing land uses of 38th St. when they made their decision. It is now a significant pedestrian artery, since there is direct access to the Ace of Hearts Park. There is considerable foot traffic on this road. With seven additional houses plus the existing two residences, parking is going to overflow on to 38th St., which is not currently developed for parking. The traffic will be so much increased that sidewalks need to be finished out to M St. Otherwise, the city is created a dangerous situation.

SPL-2015-0006:

STAFF ANALYSIS:

Please see your staff report for a staff analysis of the appellants assignments of error listed above.

SPL-2015-0006:

EXHIBIT NUMBER:	NAME OF EXHIBIT:
Exhibit #A	City Council's Staff Report on the Appeal of the 38 th Street Short Plat
Exhibit #B	Planning Director Approved Decision, Staff Report, & Exhibits
Exhibit #C	Notice of Decision & Notice of Hearing
Exhibit #D	Appeal(s) Received
Exhibit #E	Applicant /Landowner's Response to Appeal
Exhibit #F	Appellant Reply to Applicant
Exhibit #G	Additional Information Provided to City Council







Area Within Property Lines = 85,439 Sq Ft 1.96 Ac.
(Area in Plat Road = 8,387 Sq Ft 0.19 Ac. included in above area)
Area in 36th St. & K Ave. = 15,851 Sq Ft 0.36 Ac.
Total Area for Density Calculation 101,290 Sq Ft
Required Area = 4 units per Acres, 10,890 Sq Ft
multiplied by 9 = 98,010 Sq Ft

BASIS OF BEARINGS
Survey per AFN 200506150088

Auditor's Certificate

Intersection of M Ave. and
38th St. Brass disk in
monument case. Visited April,
2015.
Section centerline bears
N00°16'30"E 0.73

1348.27 per record
to East Quarter Corner

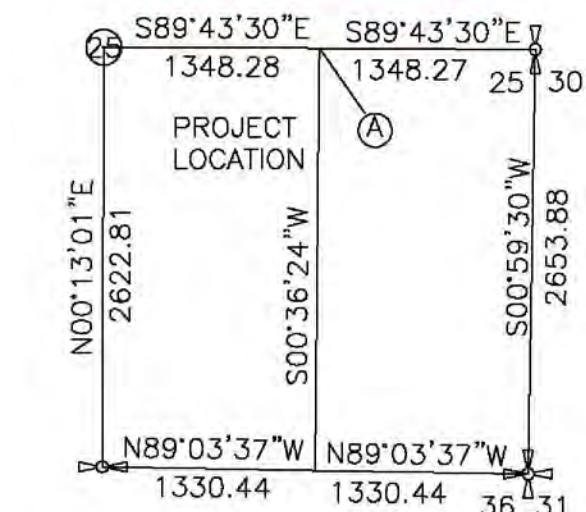
P 32158

SURVEY NOTES

- 1) This survey has been prepared from a closed random traverse using an instrument measuring angles to 3 seconds of arc and distances rounded to hundredths of feet. Note resultant areas are only accurate within the positional tolerance of the methods of survey.
- 2) The monuments (rebars) shown were found in substantial agreement with the survey of record, AFN 200506150088.
- 3) The purpose of this survey has been to describe existing boundaries and to create the nine lots shown by short subdivision.
- 4) The east line of Block 3, Gray Addition appears with questionable legibility to be 288' resulting in the width of Summer Street being 32'. Note also, per AFN 200004270085 that Summer St. therein is described as being 35.01 feet in width. Note also that Summer Street lies on the north side of the plat of Broadview not south.
- 5.) Area in 38th Street - See descriptions sheet 2 of 2.
- 6.) Lot corner monuments and street monuments that are required by Anacortes Municipal Code are to be set upon receipt of preliminary approval.

Refer to engineering plans attached illustrating existing and proposed utilities and other design features.

SECTION DETAIL



A portion of the NW 1/4 of the SE 1/4
Section 25, Township 35 N., Range 1 East,
W.M.
NOTE: Section monuments were not visited
during this survey. Boundaries are based on
that survey of record AFN 200506150088.

PROPERTY OF: Thomas Allen, Custodian
Tax Parcels P32057, P32058 and P32056

SHEET 1 OF 2

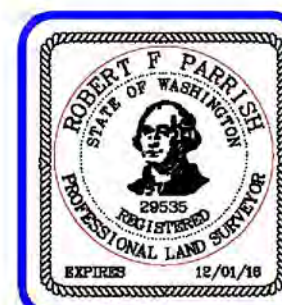
Preliminary Short Plat

SHORT PLAT NO. SPL-2015-0006 PUBLIC WORKS NO. 16-010 DEV.

Surveyor's Certificate

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of Thomas I. Allen, Custodian, owner of property in Skagit County, Washington in May, 2015

Certificate No. 29535



FILE NAME: 1504-710			
SCALE: 1" = 30'			
DATE OF PLAN: 2-1-16			
DRAWN BY: RFP			
F.B. No. 41			
QUARTER	SECTION	TOWNSHIP	RANGE
SE	25	35N	1E

PREPARED FOR:

38th Street Short Plat

PLS Pacific Land Surveyors

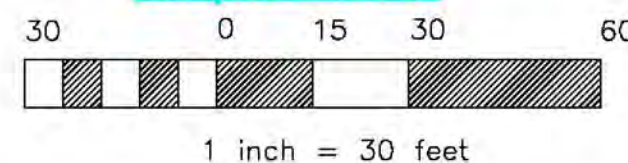
PO Box 214, Lopez, Washington 98651

ANACORTES (360) 588-1467 email parrish@rockisland.com

BLOCK 1
PLAT OF GRAY'S
SECOND ADDITION
VOLUME 2, PAGE 13



Graphic Scale



Legend

- Street Monuments (see survey note 6)
 - Rebar & Cap, LS 25971
 - Pipe as noted
- Notations in parenthesis are quoted from pre-division conditions (Bearing Distance) or (Tax Number & Address)
- TBR Building TO BE REMOVED

Rebar & Cap,
LS 25971,
Corner Bears
N87°35'51"E 0.38

Lot 13
Broadview Add.

PLAT OF BROADVIEW
ADDITION AFN 506534

1" diameter pipe,
no cap, found per
Plat of Broadview
Add. AFN 506534
Corner Bears
S42°29'42"W 0.43

EXHIBIT I

PROJECT ENGINEER /RAVNIK & ASSOCIATES' PRESENTATION TO CITY COUNCIL:

"38TH STREET SHORT PLAT"

LEGEND

---	EXISTING RIGHT OF WAY LINE	---	PROPOSED SILT FENCE
---	EXISTING PROPERTY LINE	---	PROPOSED ORANGE CONSTRUCTION FENCE
○	EXISTING PROPERTY CORNER	(28.2)	PROPOSED ASPH. SURFACE ELEV.
SD	EXISTING STORM DRAIN	(212.30) MC	MIDPOINT CURVE
○	EXISTING STORM MANHOLE	(212.30) PRC	POINT OF REVERSE CURVATURE
□	EXISTING STORM CATCH BASIN	(212.30) PC	POINT OF CURVATURE
SS	EXISTING SANITARY SEWER	(212.30) QP	QUARTER POINT OF CURVE
○	EXISTING SANITARY MANHOLE	LANDSCAPE	PROPOSED LANDSCAPE AREA
W	EXISTING WATERLINE	CO	PROPOSED CLEANOUT ASSEMBLY FOR STORM OR SANITARY SEWER
⋈	EXISTING WATER VALVE	SD	PROPOSED STORM DRAIN
○	EXISTING FIRE HYDRANT	PERF-SD	PROPOSED PERFORATED STORM DRAIN
PCTG	EXISTING POWER, CABLE TELEPHONE, GAS LINE	■	PROPOSED STORM CATCH BASIN
OHP	EXISTING OVERHEAD POWER	SS	PROPOSED SANITARY SEWER
G	EXISTING GAS LINE	---	PROPOSED DITCH
2B	EXISTING GROUND CONTOUR LINE	PCTG	PROPOSED POWER, CABLE TELEPHONE, GAS LINE
---	EXISTING EDGE OF ASPHALT	W	PROPOSED WATERLINE
X-X	EXISTING FENCELINE	+	PROPOSED WATER VALVE
⊞	EXISTING WATER METER	+	PROPOSED FIRE HYDRANT
---	EXISTING ASPHALT	⊞	PROPOSED WATER METER BOX
---	EXISTING CONCRETE	⊞	PROPOSED AIR RELEASE ASSEMBLY
---	EXISTING GRAVEL	TBO	PROPOSED BLOW OFF/FLUSHING ASSEMBLY
---	EXISTING SWALE	---	PROPOSED CURB & GUTTER
TBR	EXISTING TO BE REMOVED	---	PROPOSED CONCRETE
		---	PROPOSED ASPHALT

PROJECT CONTACTS:

OWNER

EQUITY TRUST COMPANY
CUSTODIAN FBO: THOMAS ALLEN IRA
P.O. BOX 451
340 WESTLAKE, OH 44145

DEVELOPER

TOM & PAM ALLEN
P.O. BOX 817
ANACORTES, WA 98221
(360)293-7754

CIVIL ENGINEER

RAVNIK & ASSOCIATES, INC.
CONTACT: JOHN RAVNIK
1633 LINDAMOOD LANE
P.O. BOX 361
BURLINGTON, WA 98233
PHONE: (360)707-2048
FAX: (360)707-2216

SURVEYOR

PARISH LAND SURVEYING
CONTACT: BOB PARISH
P.O. BOX 314
LOPEZ, WA 98261
PHONE: (360)588-1467

FRONTIER

CONTACT: BRET MURDOCK, ENGINEER
TEL.: (360)707-0641
CELL: (425)417-7085
BRET.T.MURDOCK@FTR.COM

CONTACT: DEAN DUPRIS, CONSTRUCTION
TEL.: (360)757-7221
CELL: (360)770-7626

PUGET SOUND ENERGY
MUNICIPAL CONSTRUCTION
PLANNING DEPARTMENT
CONTACT: JANE MAJOR
TEL.: (360)766-5571
CELL: (360)791-2748
JANE.MAJOR@PSE.COM

PSE/INTOLIGHT

CONTACT: LANE MAHLER
TEL.: (425)462-3624
CELL: (425)429-1356
EMAIL: LANE.MAHLER@PSE.COM

CASCADE NATURAL GAS

CONTACT: JAMES HOBBS
P.O. BOX 607
MT. VERNON, WA 98273
TEL.: (360)336-3911
FAX: (360)336-2564

BLACK ROCK CABLE

CONTACT: RANDY WILSON
TEL.: (360)306-5486
CELL: (360)305-9635
RWILSON@BLACKROCKCABLE.COM

CITY OF ANACORTES

PUBLIC WORKS PROJECT MANAGER-STEVE LANGE
P.O. BOX 547
ANACORTES, WA 98221
PHONE: (360)293-1900
FAX: (360)293-1938
CELL: (360)661-3468
EMAIL: stevel@cityofanacortes.org
ALTERNATE CONTACT: FRED BUCKENMEYER
PHONE: (360)293-1920

SEWER AND WATER DEPARTMENT
P.O. BOX 537
ANACORTES, WA 98221
PHONE: (360)299-1951
FAX: (360)293-1938
CONTACT: BOB CLUMPNER

PUBLIC WORKS DIRECTOR/INSPECTOR-DAVE WALDE
P.O. BOX 547
ANACORTES, WA 98221
PHONE: (360)299-1951
FAX: (360)293-1938
CELL: (360)661-7838

UTILITY LOCATE

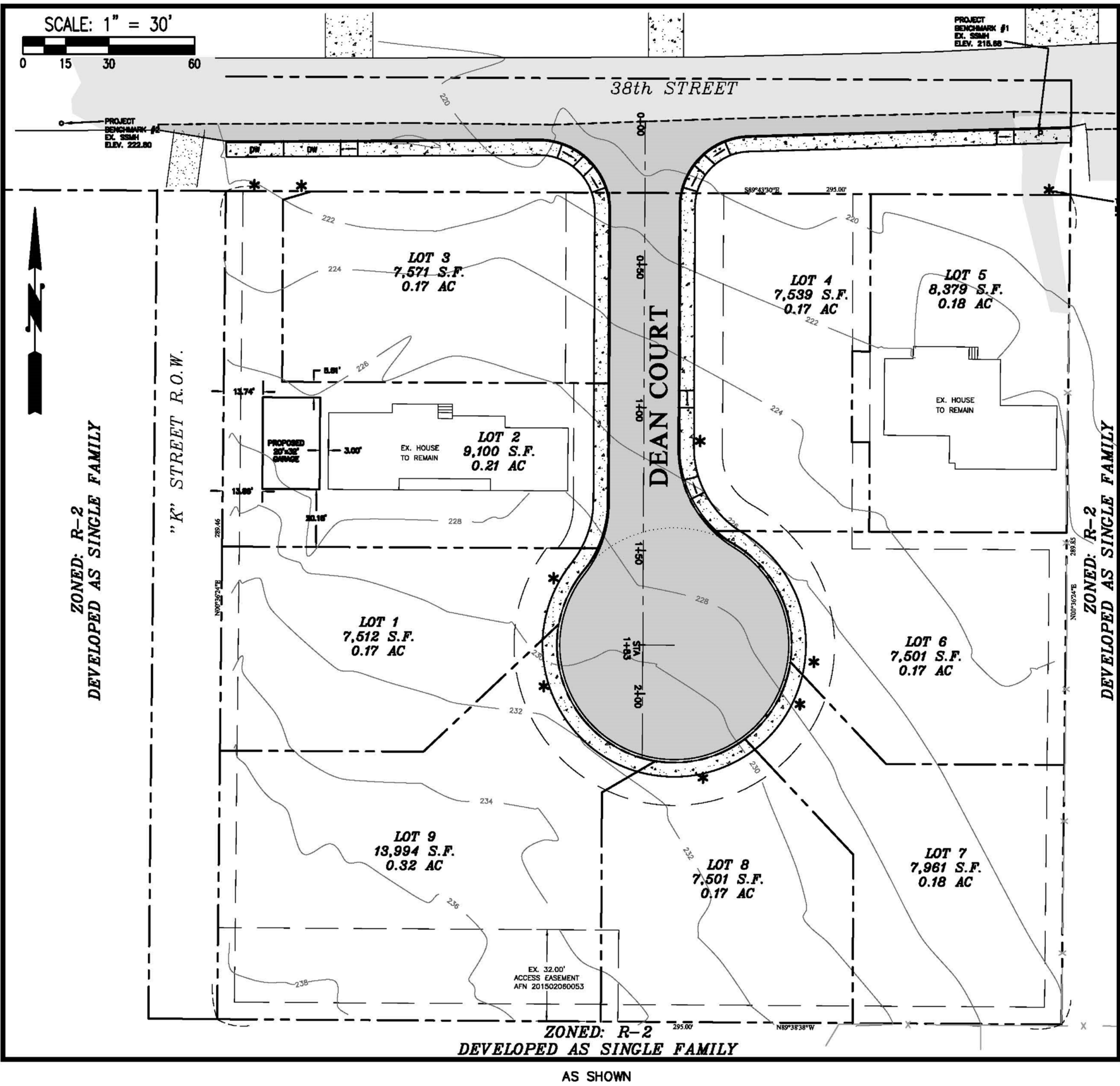
811

SURVEY INFORMATION

NOTE: EXISTING STRUCTURES, UTILITIES, AND SURFACE CONDITIONS SHOWN ON THESE PLANS REPRESENT SURVEY INFORMATION LOCATED IN NOVEMBER, 2015, FROM A TOPOGRAPHIC SURVEY PERFORMED BY PARISH LAND SURVEYING, AND FROM UTILITY INFORMATION PROVIDED BY UTILITY COMPANIES. A UTILITY LOCATE SERVICE WAS NOT CALLED PRIOR TO SURVEYING OF THE PROPERTY, BUT MUST BE CALLED PRIOR TO CONSTRUCTION.

SURVEY DATUM: BASED UPON CITY OF ANACORTES DATUM, CITY BENCHMARK MON IN CASE GRASS DISK LOCATED AT THE CENTER PF "M" AND 38TH STREET, EASTERLY OF THE SITE ELEVATION = 187.75
CONTOURS HAVE BEEN GENERATED FROM DATA COLLECTED BY FIELD SURVEY.

Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING
1633 LINDAMOOD LANE/PO. BOX 361
BURLINGTON, WA 98233
PH: (360) 707-2048 FAX: (360) 707-2216

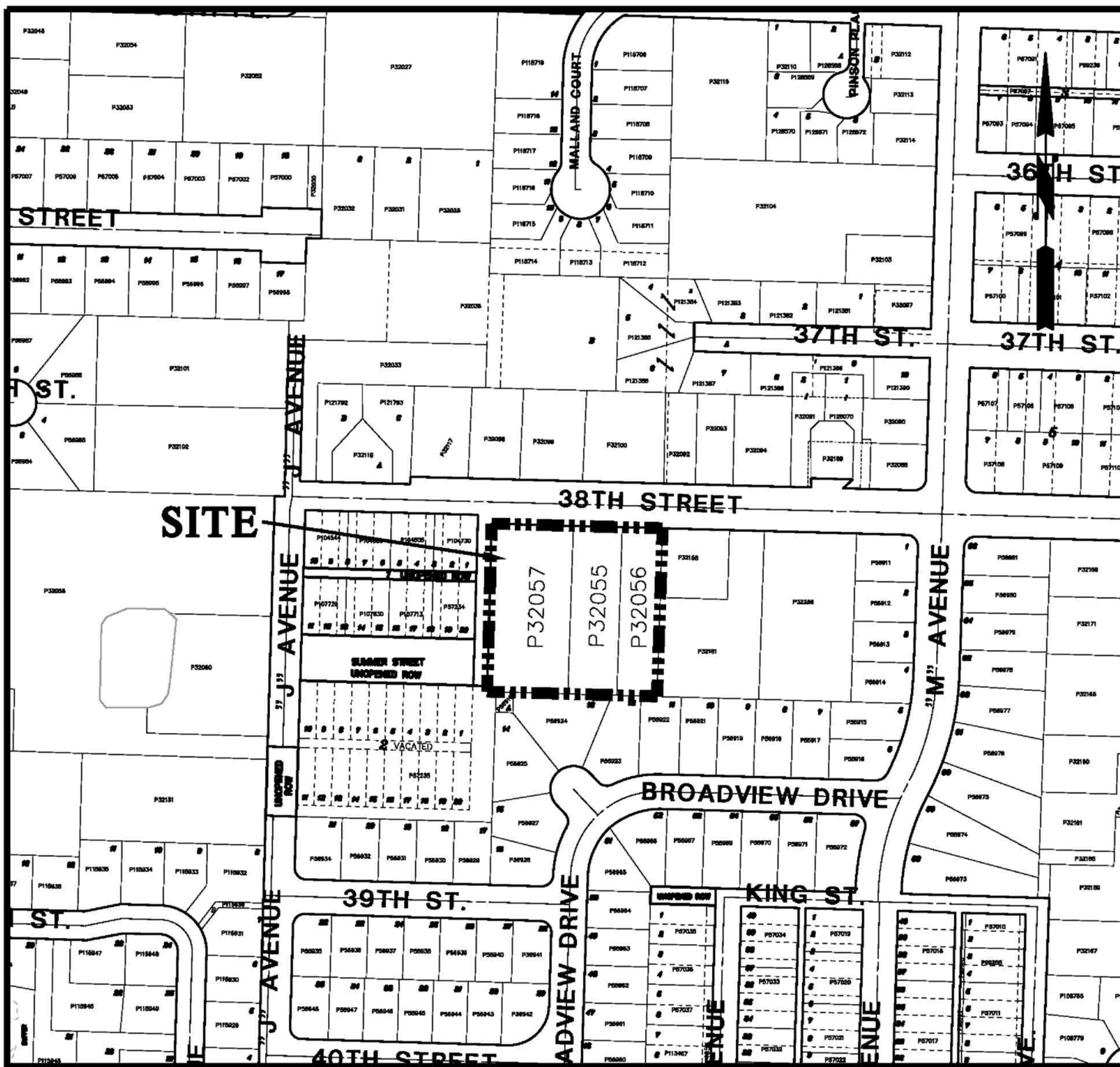


SHEET SCHEDULE:

- SHEET 1 OF 4 COVER
- SHEET 2 OF 4 EXISTING CONDITIONS
- SHEET 3 OF 4 OVERALL SITE & GRADING PLAN
- SHEET 4 OF 4 EXISTING/DEVELOPED OFFSITE STORM DRAIN PLAN

DENSITY CALCULATIONS:

TOTAL PROPERTY AREA = 85,451 S.F.
ABUTTING HALF OF 38TH STREET R.O.W. = 40'x295'=11,800 S.F.
ABUTTING HALF OF "K" STREET R.O.W. = 12.15'x289.46'=3516.93 S.F.
SUM AREAS FOR DENSITY CALCULATIONS = 100,767.9 S.F. = 2.31 AC
AT 4 DU/AC, A TOTAL OF 9 LOTS CAN BE PREPARED PER THE CURRENT R-2 ZONING CODE.



VICINITY MAP

SCALE: 1"=200'

CALL TWO
BUSINESS DAYS
BEFORE YOU DIG
"811"

PLAN STATUS:

SCALE: AS SHOWN
DRAWN BY: D. REMSEN
CHECKED BY: J. RAVNIK
DATE: 02.26.16

SHEET TITLE:

**9-LOT SHORT PLAT
FOR
TOM ALLEN (DEVELOPER)**
SECTION 25, T. 35 N., R. 1 E., W.M.

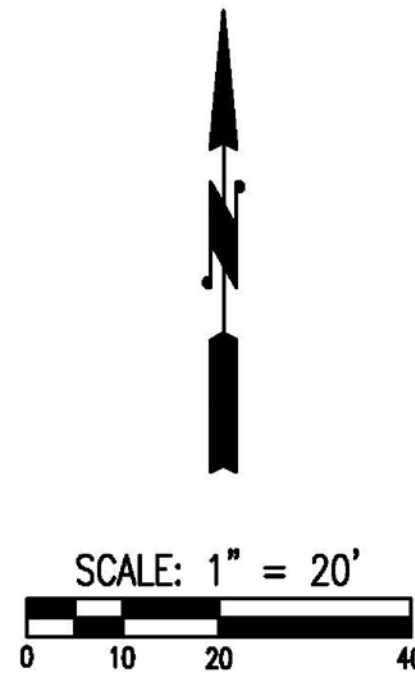
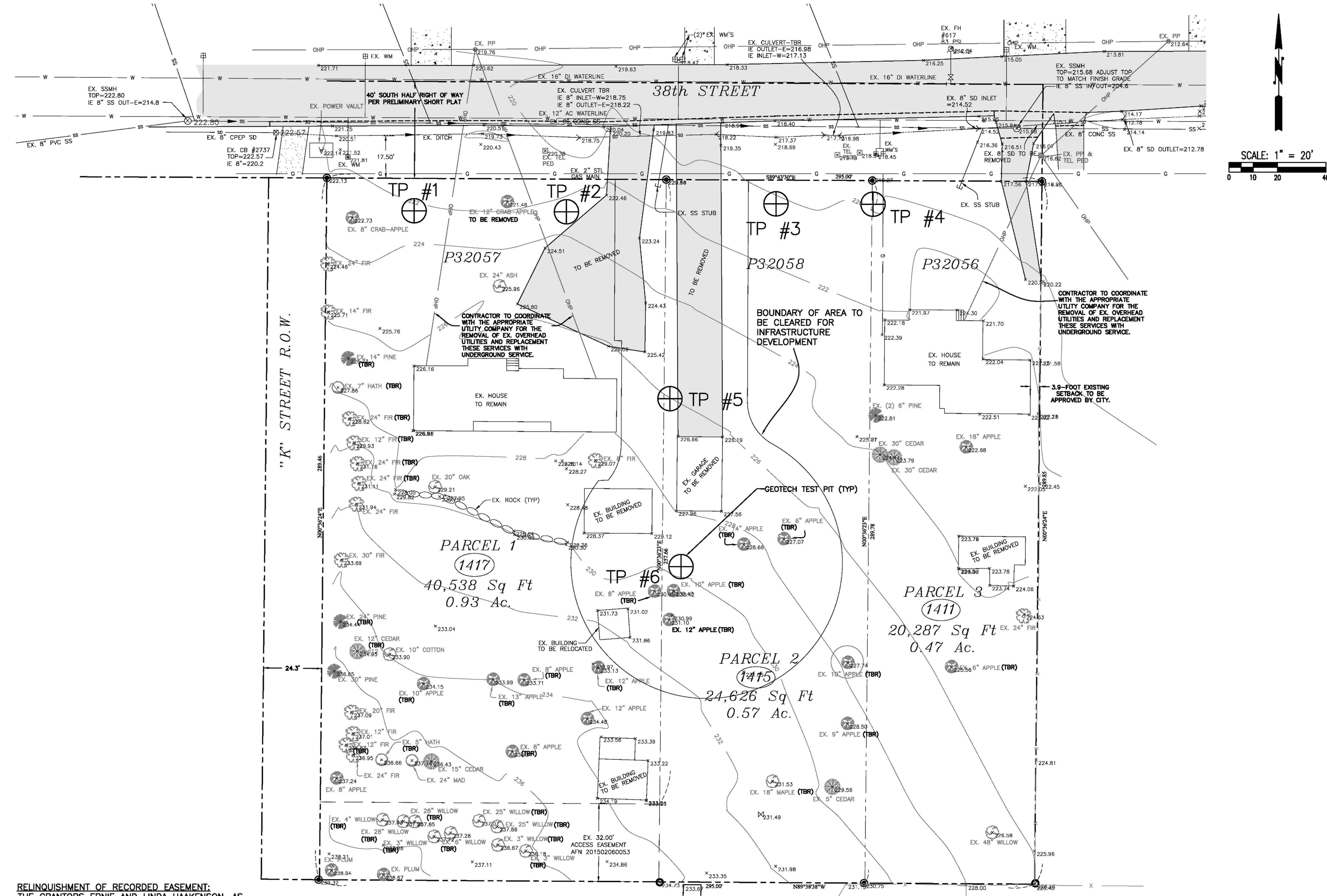
DRAWING NO.
15030.SITE.dwg
JOB NO.
15030
SHEET NO.
1 OF 4

SHEET DESCRIPTION:

COVER

CALL TWO
BUSINESS DAYS
BEFORE YOU DIG
"811"

SPL-2015-0006
PUBLIC WORKS
16-D10 DEV



RELINQUISHMENT OF RECORDED EASEMENT:
THE GRANTORS ERNIE AND LINDA HAAKENSEN, AS
BENEFICIARIES OF THE EASEMENT CREATED BY DEED AND
RECORDED FEBRUARY 6, 2015 UNDER SKAGIT COUNTY
AUDITOR'S NO. 201502060053 AND RECORDED AS GRANT OF
EASEMENT. THE RELINQUISHMENT OF THIS EASEMENT IS
RECORDED TO BE BECOME EFFECTIVE UPON THE CONDITION
PRECEDENT OF THE DEATHS, TRANSFER OR CONVEYANCE OF
THE HAAKENSEN PROPERTY OR 180 DAYS AFTER BOTH ERNIE
AND LINDA HAAKENSEN ARE UNABLE OR DO NOT RESIDE AT
THEIR RESIDENCE, PER AUDITOR'S FILE NO. 201506110055.

ONLY THOSE TREES BEING REMOVED FOR SHORT PLAT
INFRASTRUCTURE ARE DEPICTED FOR REMOVAL.
AT THE TIME OF INDIVIDUAL LOT DEVELOPMENT, DEPENDING ON
BUILDING LOCATION, MORE TREES MAY BE REMOVED. EACH
LOT'S INDIVIDUAL DEVELOPMENT MAY REQUIRE A TREE
PRESERVATION PLAN AS DICTATED BY THE CITY.

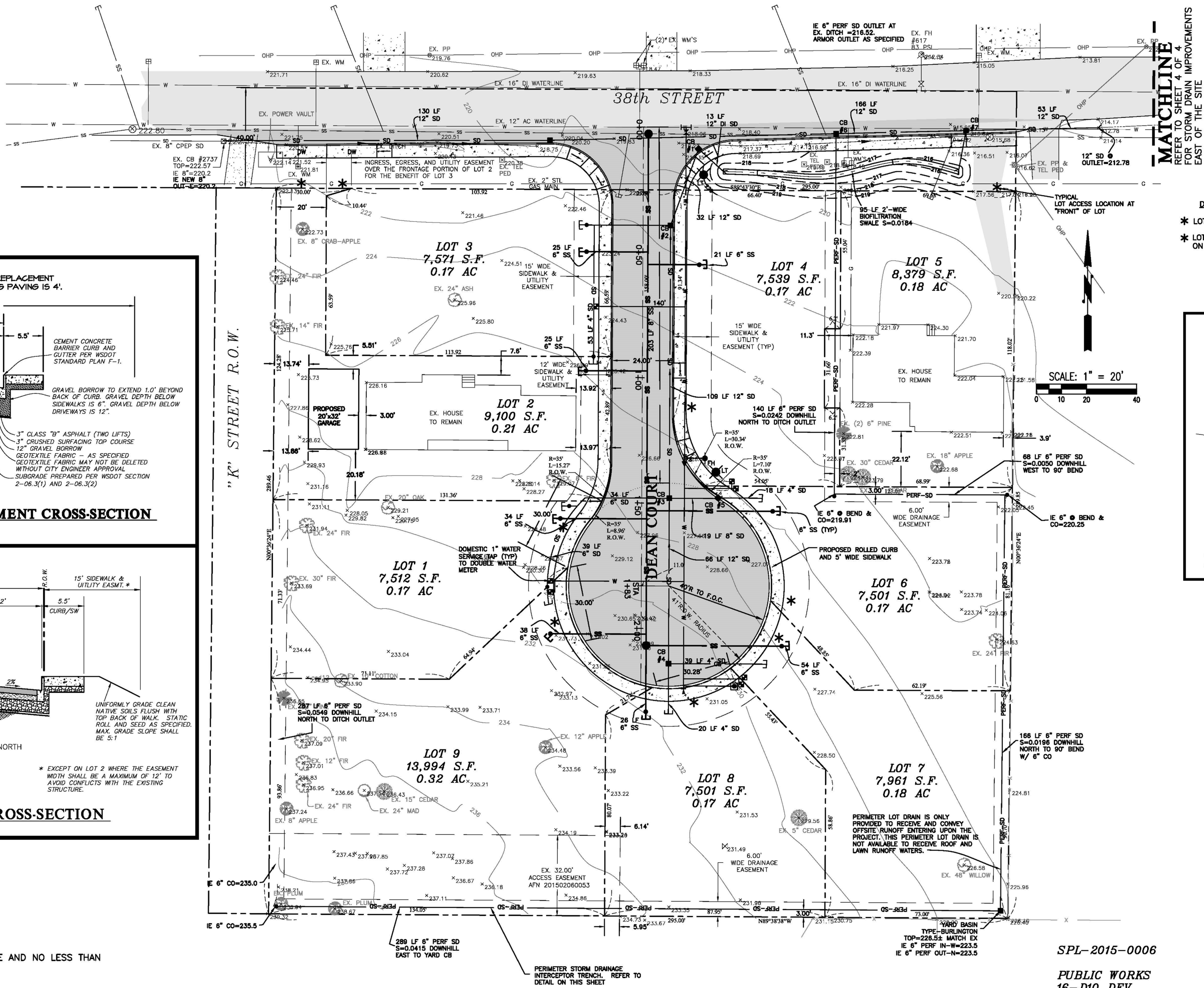
REV. NO.	REVISION	DATE	BY	APPROVED

Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING
1633 LINDAMOOD LANE/PO. BOX 361
BURLINGTON, WA 98233
PH: (360) 707-2048 FAX: (360) 707-2216

EXISTING CONDITIONS

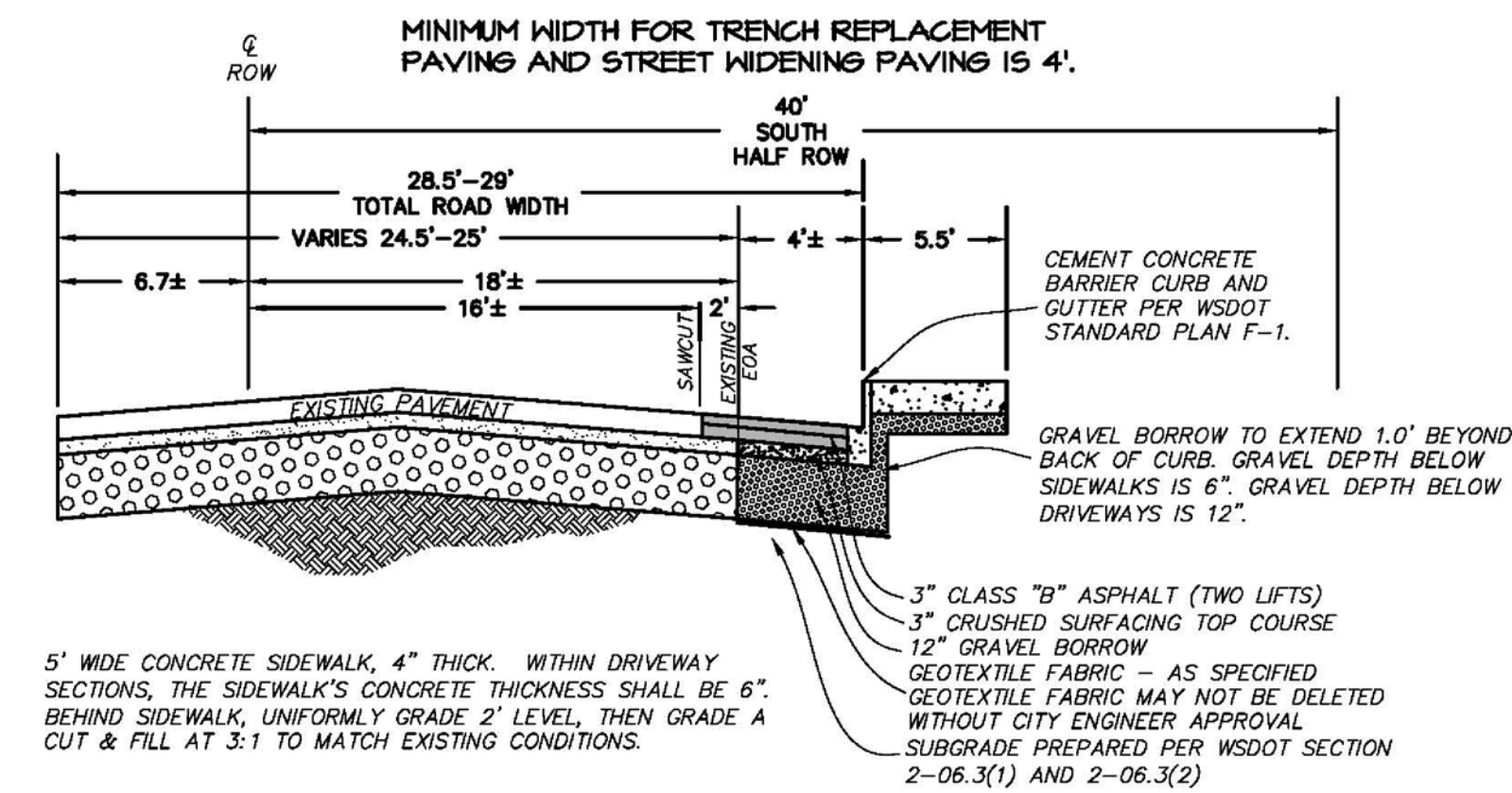
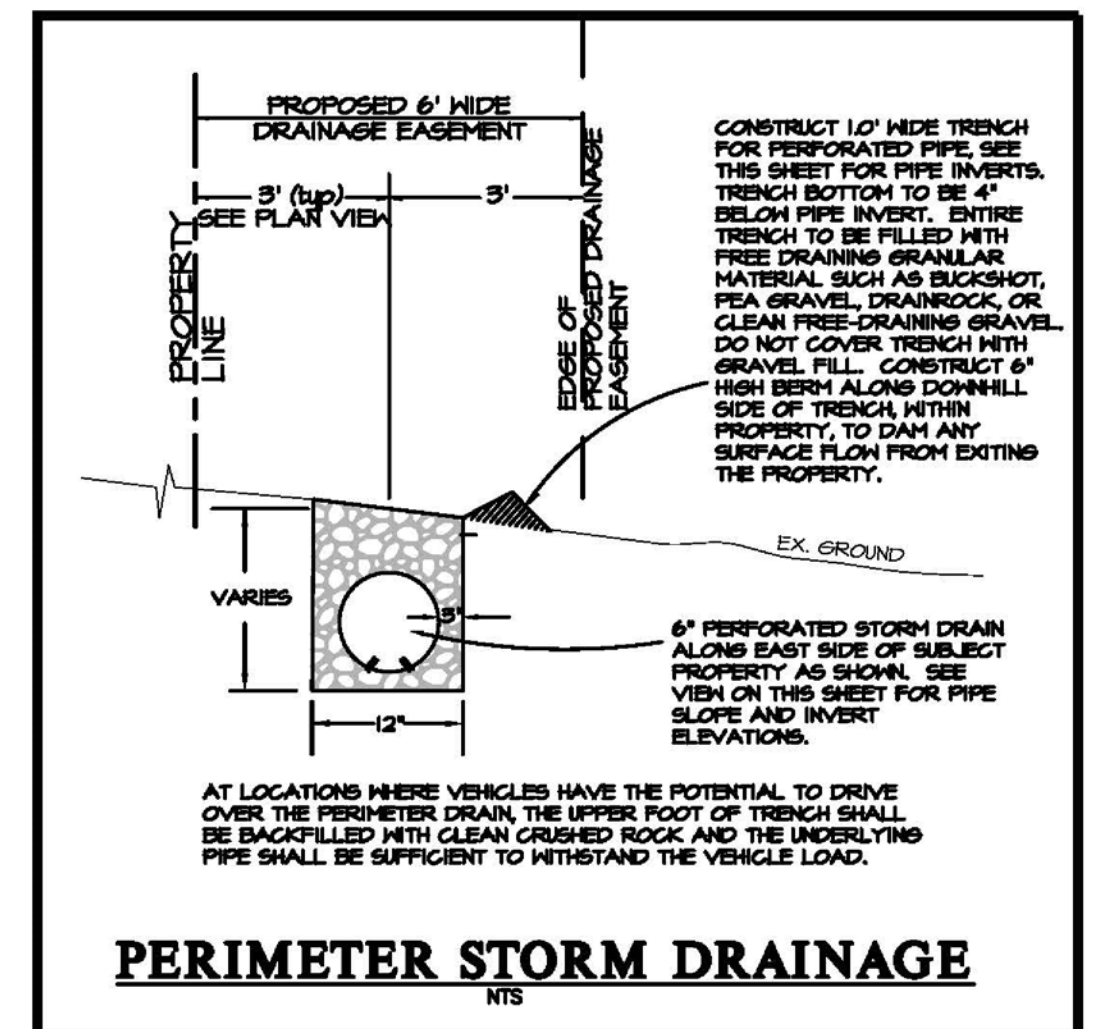
PLAN STATUS:		DRAWING NO.	
SCALE: 1"=20'	SHEET TITLE:	15030.SITE.dwg	
DRAWN BY: D. REMSEN	9-LOT SHORT PLAT FOR TOM ALLEN (DEVELOPER) SECTION 25, T. 35 N., R. 1 E., W.M.	JOB NO.	15030
CHECKED BY: J. RAVNIK		SHEET NO.	2 OF 4
DATE: 02.26.16			

CALL TWO
BUSINESS DAYS
BEFORE YOU DIG
"811"

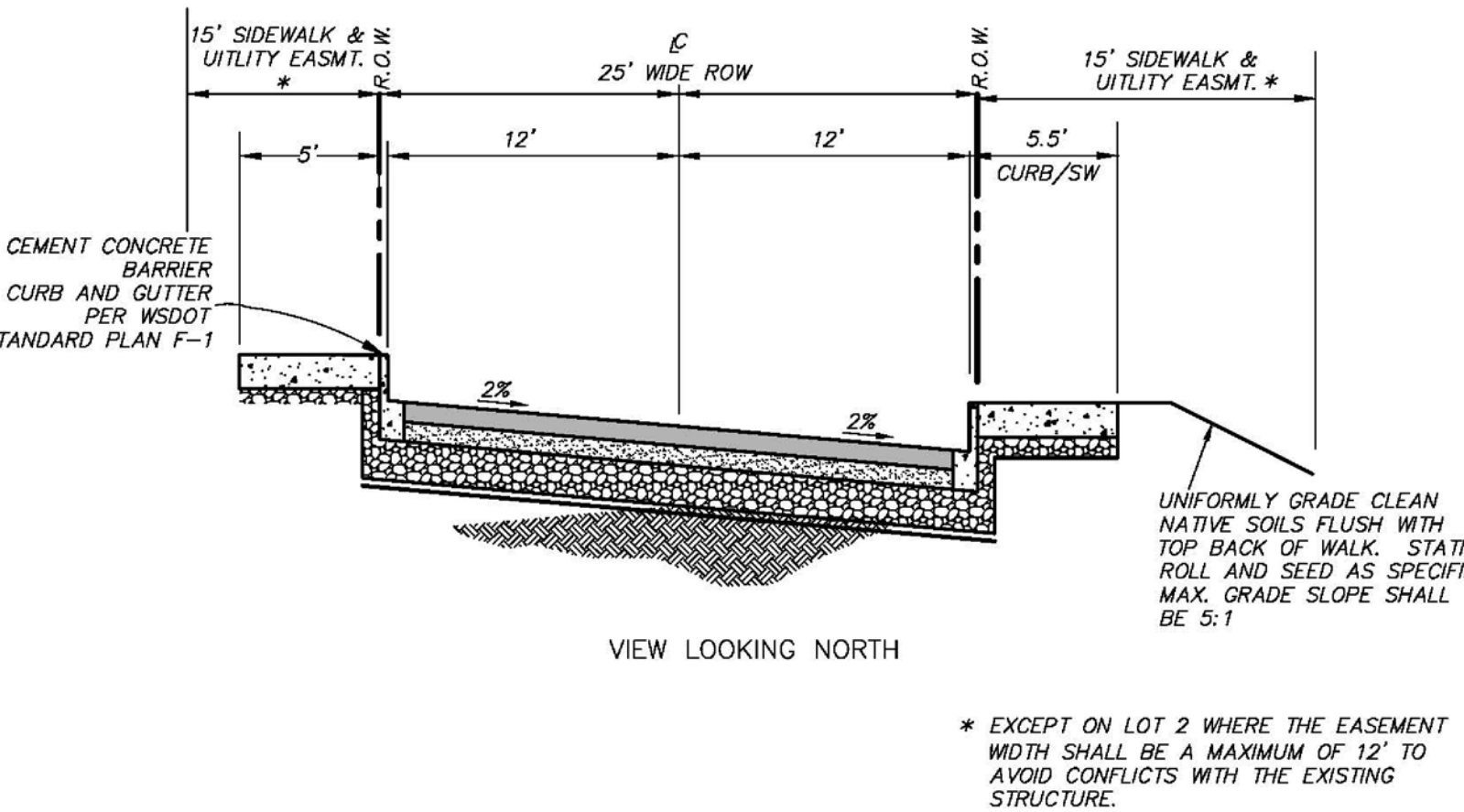


- DRIVEWAY ACCESS: TYPICAL 20' WIDE DRIVEWAY FOR EACH LOT
- * LOTS 2, 3, & 5 DRIVEWAY ACCESSES ARE LOCATED ON 38TH STREET
 - * LOTS 1, 4, 6, 7, 8, & 9 DRIVEWAY ACCESSES ARE LOCATED ON THE INTERIOR ROAD

PROPOSED STREET LIGHT (2)



TYPICAL 38th STREET IMPROVEMENT CROSS-SECTION



INTERIOR ROAD CROSS-SECTION

ZONING: R-2

MINIMUM LOT SIZE = 7,500 SQ.FT.
4 DU/AC

MINIMUM LOT FRONTAGE = 30 FEET

BUILDING FOUNDATION SETBACKS:

FRONT YARD = 20'
INTERIOR SIDE YARD = 5' FEET ON ONE SIDE AND NO LESS THAN 10' ON OTHER SIDE.

SIDE YARD ON FLANKING STREET = 10'
(IF STREET IS DESIGNATED ARTERIAL = 20')
REAR YARD = 20'

REV. NO.	REVISION	DATE	BY	APPROVED

Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING
1633 LINDAMOOD LANE/PO. BOX 361
BURLINGTON, WA 98233
PH: (360) 707-2048 FAX: (360) 707-2216

SHEET DESCRIPTION:

OVERALL SITE & GRADING PLAN

PLAN STATUS:

SCALE: AS NOTED

DRAWN BY: D. REMSEN

CHECKED BY: J. RAVNIK

DATE: 02.26.15

SHEET TITLE:

**9-LOT SHORT PLAT
FOR
TOM ALLEN (DEVELOPER)**
SECTION 25, T. 35 N., R. 1 E., W.M.

DRAWING NO.
15030.SITE.dwg
JOB NO.
15030
SHEET NO.
3 OF 4

Area Within Property Lines = 85,439 Sq Ft 1.96 Ac.
 (Area in Plat Road = 8,387 Sq Ft 0.19 Ac. included in above area)
 Area in 36th St. & K Ave. = 15,851 Sq Ft 0.36 Ac.
 Total Area for Density Calculation 101,290 Sq Ft
 Required Area = 4 units per Acres, 10,890 Sq Ft
 multiplied by 9 = 98,010 Sq Ft

BASIS OF BEARINGS
 Survey per AFN 200506150088

Auditor's Certificate

Intersection of M Ave. and
 38th St. Brass disk in
 monument case. Visited April,
 2015.
 Section centerline bears
 N00°16'30"E 0.73

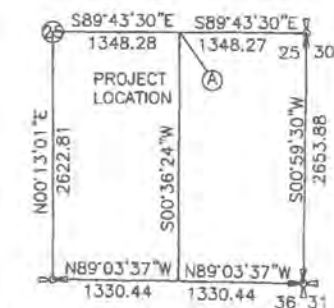
P 32158

SURVEY NOTES

- 1) This survey has been prepared from a closed random traverse using an instrument measuring angles to 3 seconds of arc and distances rounded to hundredths of feet. Note resultant areas are only accurate within the positional tolerance of the methods of survey.
- 2) The monuments (rebars) shown were found in substantial agreement with the survey of record, AFN 200506150088.
- 3) The purpose of this survey has been to describe existing boundaries and to create the nine lots shown by short subdivision.
- 4) The east line of Block 3, Gray Addition appears with questionable legibility to be 288' resulting in the width of Summer Street being 32'. Note also, per AFN 200004270085 that Summer St. therein is described as being 35.01 feet in width. Note also that Summer Street lies on the north side of the plat of Broadview not south.
- 5.) Area in 38th Street - See descriptions sheet 2 of 2.
- 6.) Lot corner monuments and street monuments that are required by Anacortes Municipal Code are to be set upon receipt of preliminary approval.

Refer to engineering plans attached illustrating existing and proposed utilities and other design features.

SECTION DETAIL



PROPERTY OF: Thomas Allen, Custodian
 Tax Parcels P32057, P32058 and P32056

SHEET 1 OF 2

Preliminary Short Plat

SHORT PLAT NO. SPL-2015-0006 PUBLIC WORKS NO. 16-010 DEV.

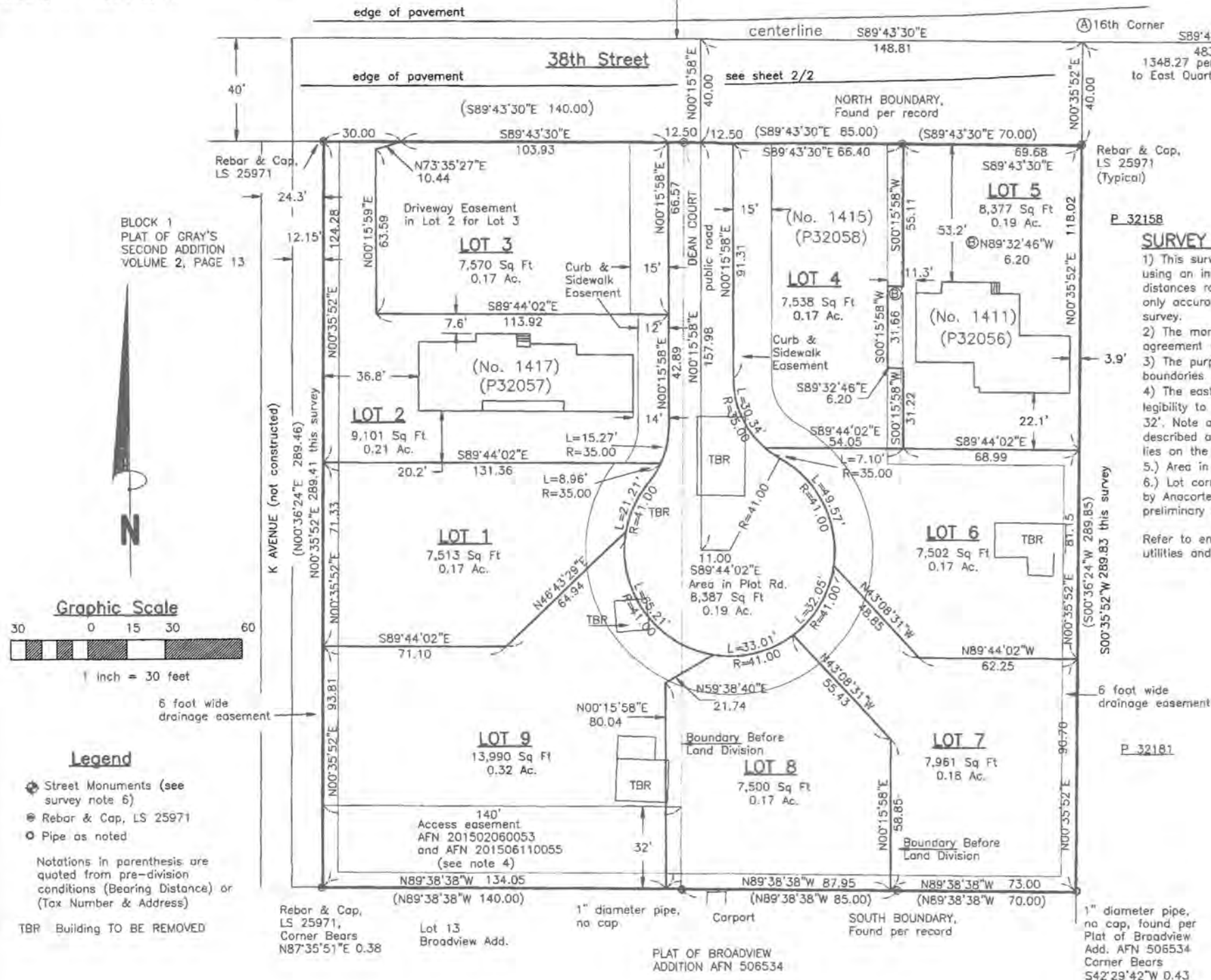
Surveyor's Certificate

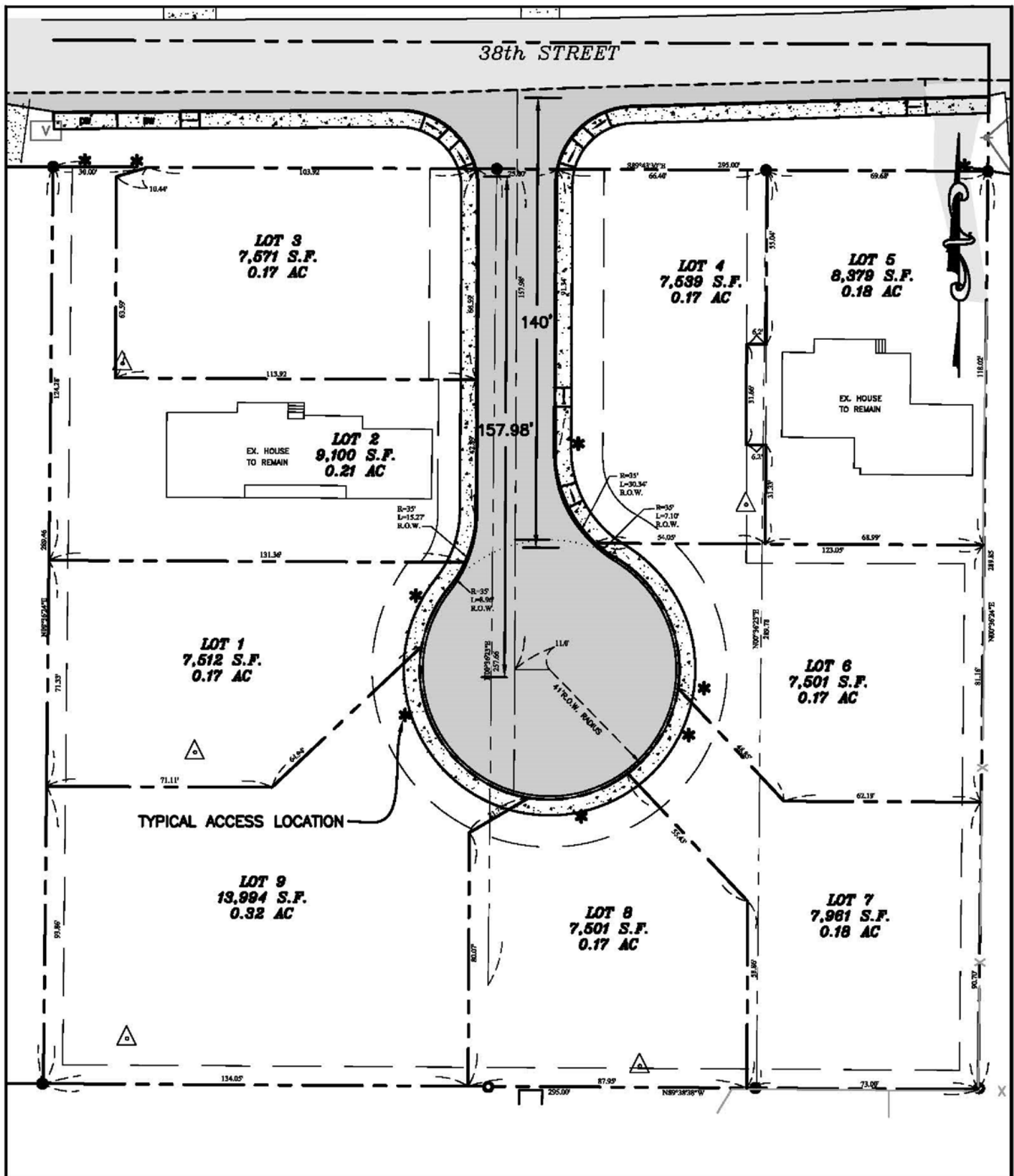
This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act of the request of Thomas I. Allen, Custodian, owner of property in Skagit County, Washington in May, 2015

Certificate No. 29535



FILE NAME: 1504-710
 SCALE: 1" = 30'
 DATE OF PLAN: 2-1-16
 DRAWN BY: RFP
 F.B. No. 41
 QUARTER SECTION TOWNSHIP RANGE
 SE 25 35N 1E





Ravnik & Associates, Inc. **CIVIL ENGINEERING & LAND-USE PLANNING**

1633 LINDAMOOD LANE/P.O. BOX 361
 BURLINGTON, WA 98233
 PH: (360) 767-2048 FAX: (360) 767-2216

JULY 23 2015: ENGINEERING - 150' MAX. FROM PAVEMENT EDGE TO CUL-DE-SAC PERIMETER.
 RECENT INTERPRETATION OF 150' MAX. BY PLANNING IS RIGHT OF WAY TO CENTERLINE CUL-DE-SAC.
 EITHER APPLICATION PROVIDES 9 LOTS.
 AN EXTRA 7.98' OF ROAD HAS NO MATERIAL EFFECT.
 CITY COUNCIL'S PREFERENCE?

EXHIBIT J

**APPLICANT /LANDOWNER'S PRESENTATION
TO CITY COUNCIL:**

Allen 38th Street

9 Lot Short Plat Proposal

- R2 Zoning
- Originally 3 houses on 3 land parcels (combined totals about 2 acres)
- House on center parcel was demolished by previous owner. It was her intent to rebuild, but she moved out of the area and we purchased the property.
- Our proposal increases the number of homes on the 3 properties by 6 for a total of 9 Lots/Houses for the plat.

Neighborhood Area Overview

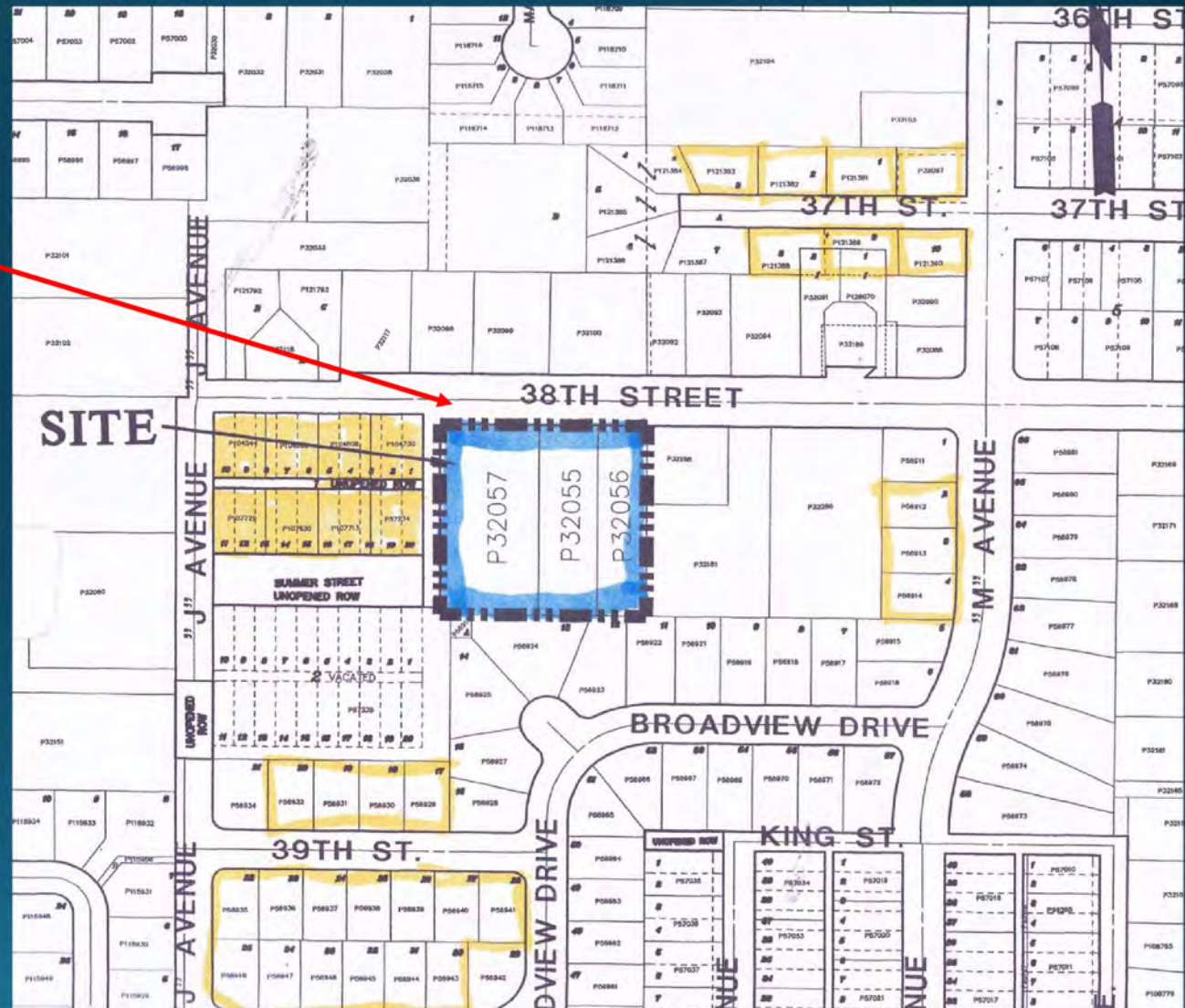


Our 3 parcels in Blue

R2 Zoning: Min. 7,500 sq ft

- **West:** 8 lots 7,500 sq ft
- **South:** 17 lots 6,600 - 6,825 sq.ft
- **East:** 3 lots 7,300 - 7,700 sq ft
- **North:** 37th St.: 7 lots @ 7,500 sq ft

Proposal: 9 lots @ 7,501 – 13,994 sq ft (avg lot size 8,562 sq ft) surrounded by many lots that are equal size or smaller

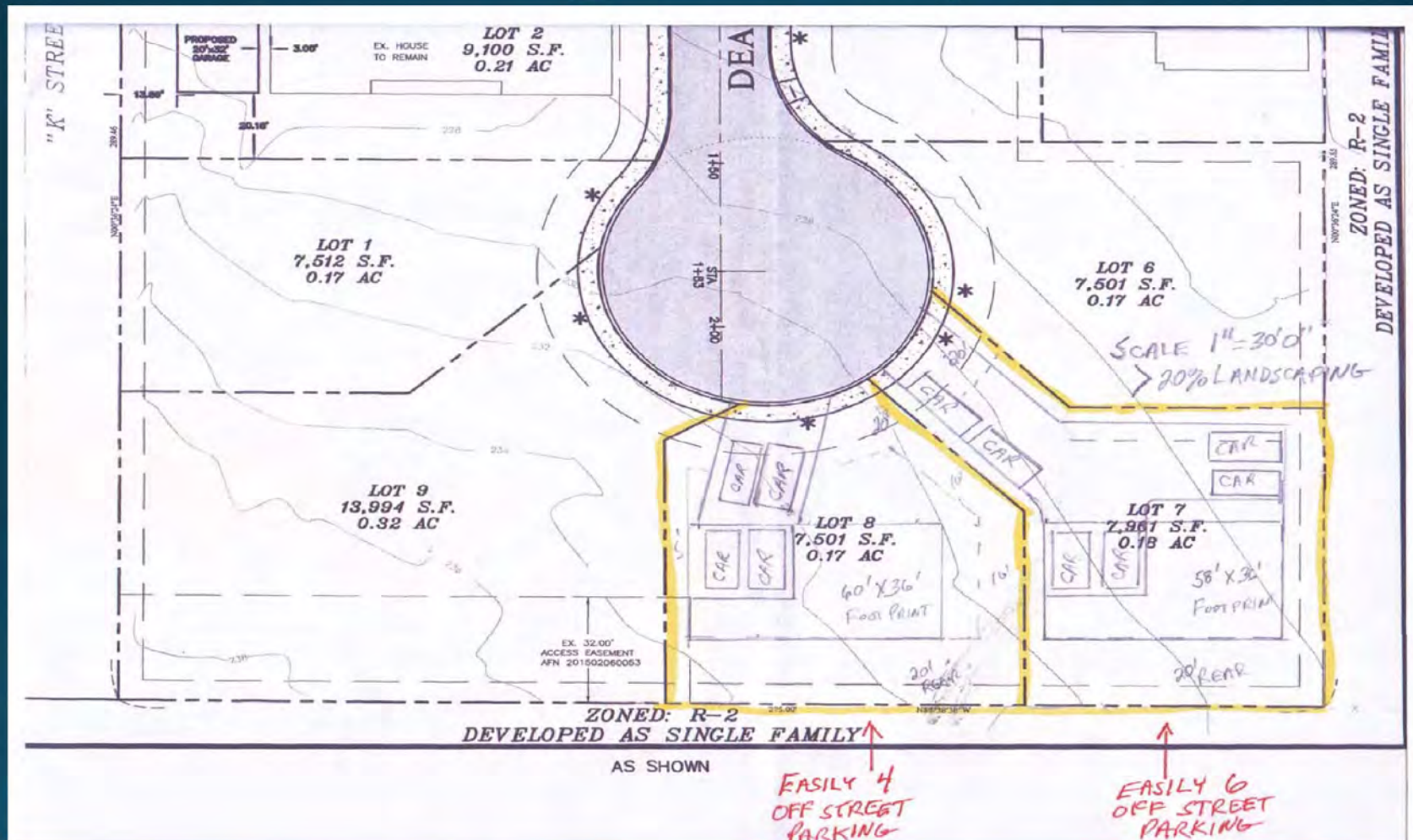


Parking

Off-street parking has been a point of discussion for 38th St. In the next slide I have a plat map exhibit with 2 of our lots as examples showing that we are providing more than ample parking:

- AMC 17.36.100 says at least 2 each off-street parking is required per lot.
- The 1st example lot shows that with a 20' setback, you get a minimum of 4 each off-street parking (2 spaces in a garage + 2 spaces in driveway). The 2nd example lot shows 6 off-street spaces
- In addition to the excessive lot off-street parking capacities, the southerly widening of 38th St. provides 8 – 10 parking spaces on the street.
- Each of these examples still leaves more than 20% in required R2 landscaping.

Parking Examples



Key Points

- No critical areas: no wetlands or slopes
- Great Tree Preservation Plan on file to save many existing trees + plant more with new houses. In this overall project with the preservation plan, we are retaining 93 tree credits where a minimum of 86 tree credits is required. In addition more trees will be planted when the individual houses are built.
- We had an appeal from Sean Kelly (closest west neighbor) re: K Ave. and our garage access. After meeting we resolved the issues to satisfaction of Mr. Kelly & other neighbors. Mr. Kelly has removed his appeal.
- This is an area of R2 Zoning where we are meeting the minimum lot size of 7,500 sq. ft. and the maximum density of 4 lots per acre which is required as per AMC 17.36.050 and 17.36.070 and encouraged by our Comp Plan.

Summary

- Anacortes and the County have a shortage of housing for working families, first time home buyers, seniors, etc.
- We ask that the appeal be denied and we be allowed to move forward.
- Our Civil Engineer, John Ravnik, and our attorney, Steve Nichol, will also speak to additional points.

Thank you.

EXHIBIT K

APPELLANT'S PRESENTATION TO CITY COUNCIL:

38th St. Current Conditions



Anacortes Municipal Code Subdivision Chapter

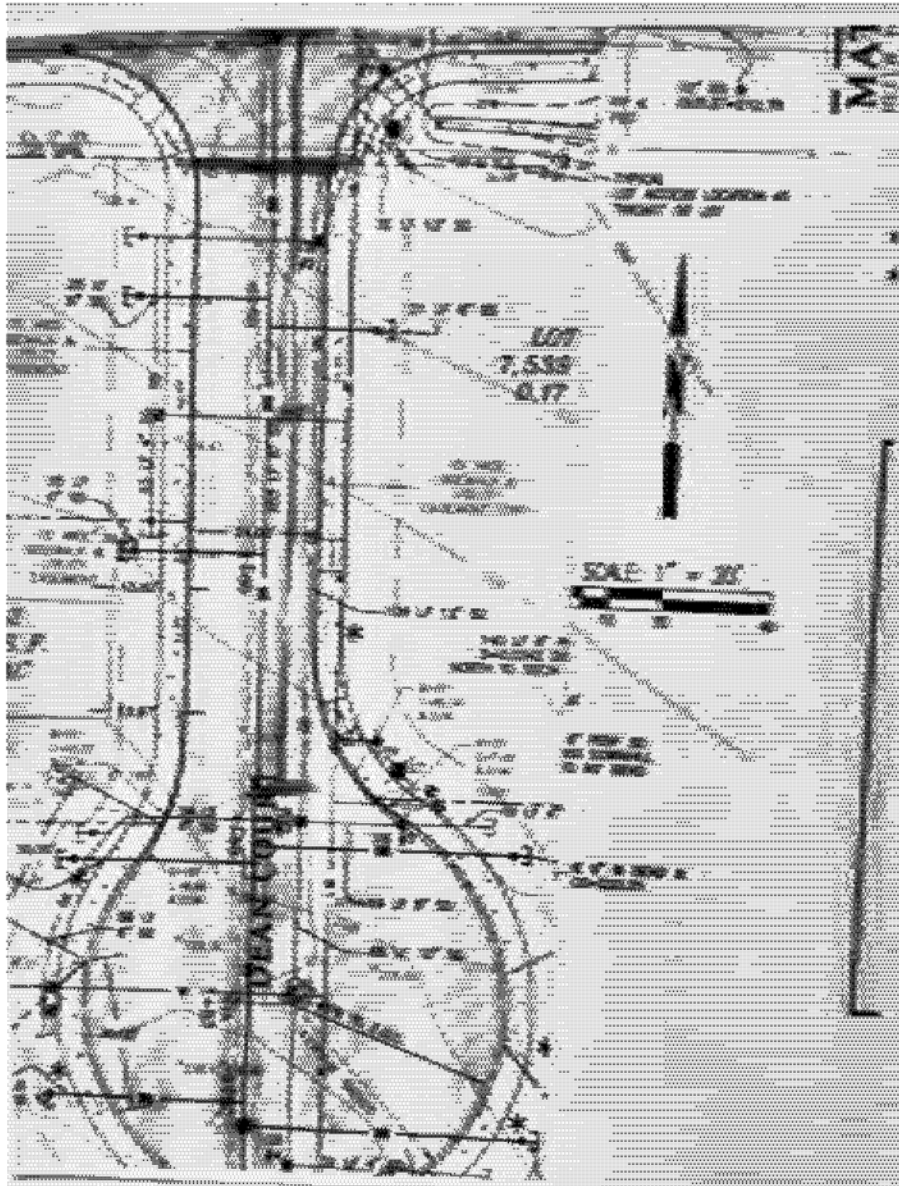
AMC 16.04.030 - Purposes.

These regulations are adopted for the following purposes.

- A.To protect and provide for the public health, safety, and general welfare of the city;
- B.To guide the future growth and development of the city in accordance with the comprehensive plan;
- C.To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population;
- D.To protect the character and the social and economic stability of all parts of the city and to encourage the orderly and beneficial development of the community through appropriate growth management techniques.

AMC 16.32.020 Short cul-de-sac

Short Cul-de-sac. A public road **not more than one hundred fifty feet in length ...**



From Durango, Colorado municipal code:
Article 4-2 Streets, Sidewalks, Trails, and Utilities

Sec. 4-2-2-10 Cul-De-Sacs, Dead-Ends, and Turnarounds
Generally.

Cul-de-sacs. Cul-de-sacs shall meet all of the following standards:
The maximum length of the cul-de-sac street shall be not more than the maximum length set out in Table 4-2-2-10, *Maximum Cul-de-Sac Length*. The length of the cul-de-sac street shall be measured from a point beginning at the intersection of the cul-de-sac street centerline with the projection of the intersecting street's curb line, along the centerline of the cul-de-sac street to the cul-de-sac, and directly through the cul-de-sac to its furthest point from the point of beginning. See Figure 4-2-2-10A, *Measurement of Cul-de-Sac Length*.

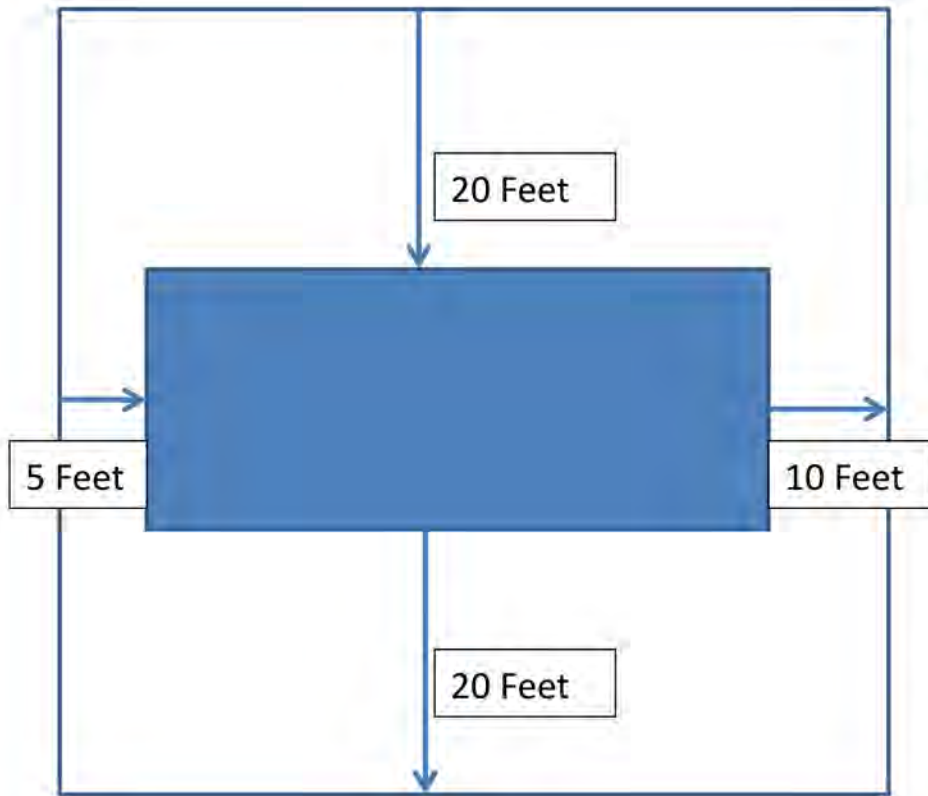
16.32.020 Short cul-de-sac

Short Cul-de-sac. A public road not more than one hundred fifty feet in length and serving **not more than six residential building sites**, and **with no reasonable possibility of extension** can be built to the following standards...

Not more than 6 lots

- The application narrative has five references to the future division of lot #9 off of the short cul-de-sac. This would be in violation of the code. Either the applicant does not understand the code, or is willfully planning to work around it.
- Only 6 lots may be off the cul-de-sac. Yet the city suggests the lots could choose which address to use. Why would the city consider using the cul-de-sac for the addresses of the lots fronting on 38th St? Wouldn't this further confuse the meaning of a short cul-de-sac?
- Working around existing homes makes it unlikely that the lots will meet the 30' frontage requirement or two off-street parking spaces.

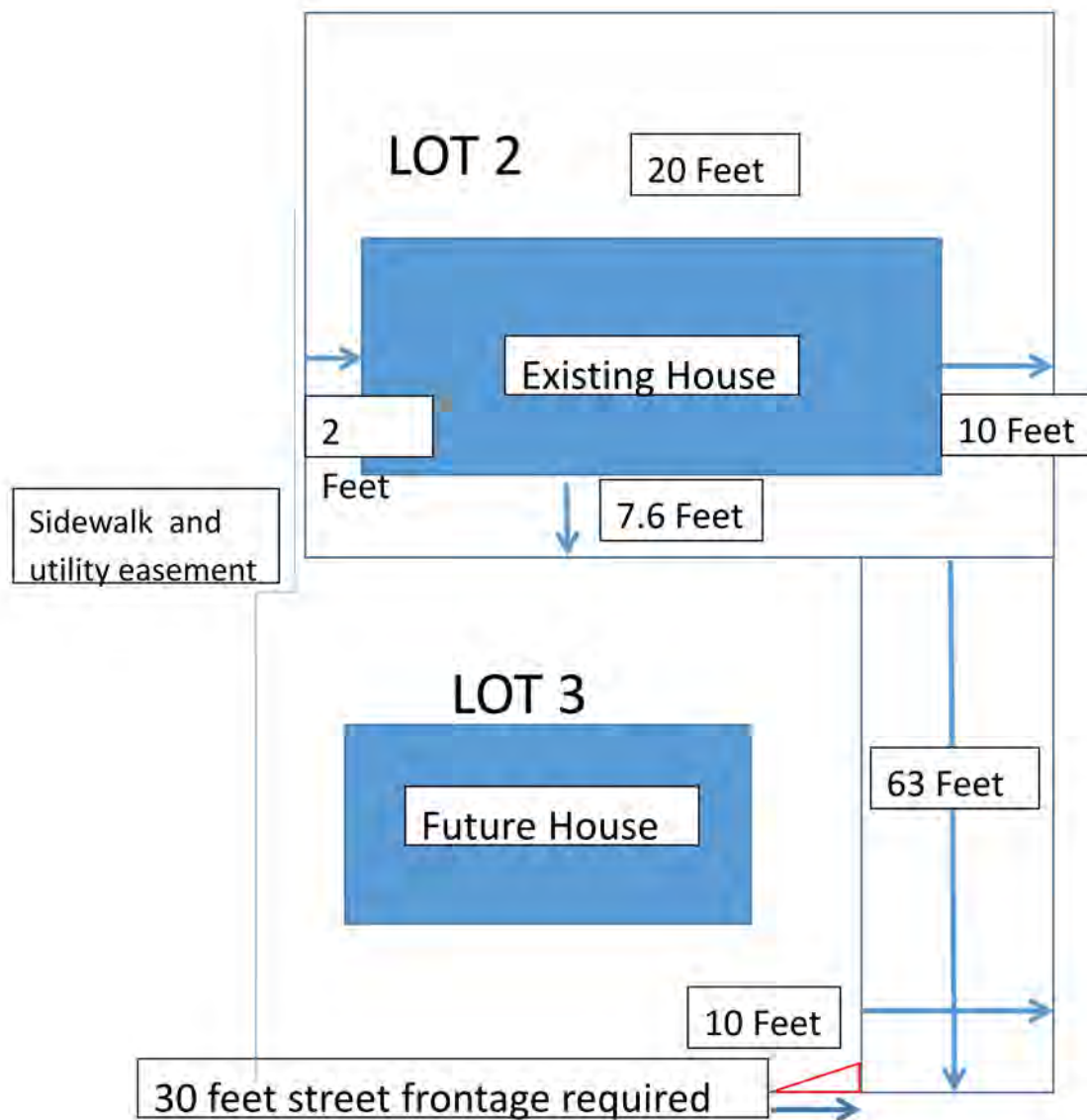
Setback Requirements



AMC 17.36.060

Minimum setback requirements in an R2 district shall be as follows:

- A. Front yard, minimum depth twenty feet from property line;
- B. Interior side. A minimum of five feet on one side and no less than fifteen feet on both sides combined, except that in no instance shall a setback adjacent to a street be less than ten feet.
- C. Side yard on a flanking street...
- D. Rear yard, twenty feet minimum



Proposed lot
falls short of
setbacks

Example of partial 30 feet street frontage



38th STREET

LOT 3
7,571 S.F.
0.17 AC

LOT 2
9,100 S.F.
0.21 AC
EX. HOUSE
TO REMAIN

DEAN COURT

LOT 4
7,539 S.F.
0.17 AC

LOT 5
8,379 S.F.
0.18 AC

EX. HOUSE
TO REMAIN

ZONED: R-2
PED AS SINGLE FAMILY

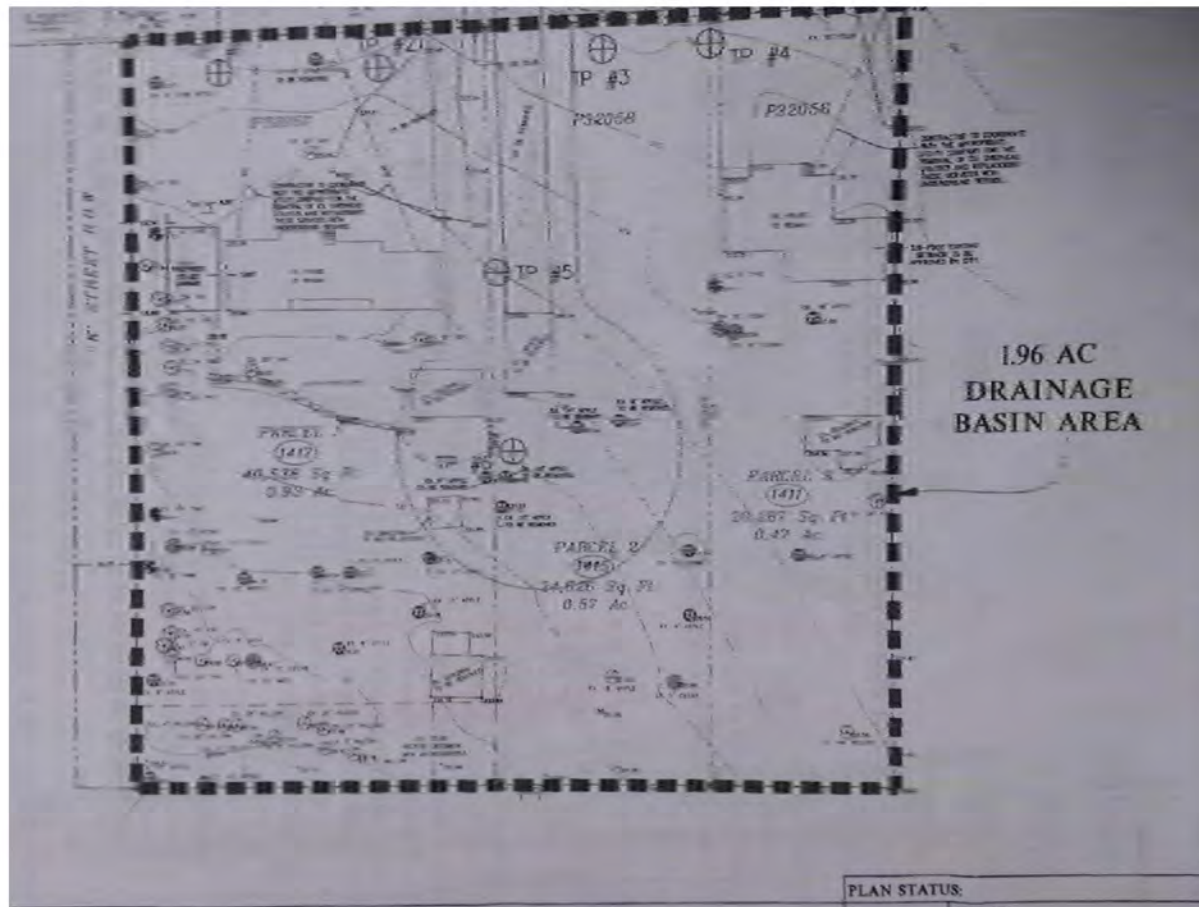
Cul-de-sac sidewalk easement will be 2' from edge of existing house (left side)



K is an undeveloped right-of-way. What is the process for permitting permanent access along this?



Stormwater Plan must account for volumes of water from the drainage basin.





Ace of Hearts Park area raised up with land fill increasing drainage volume

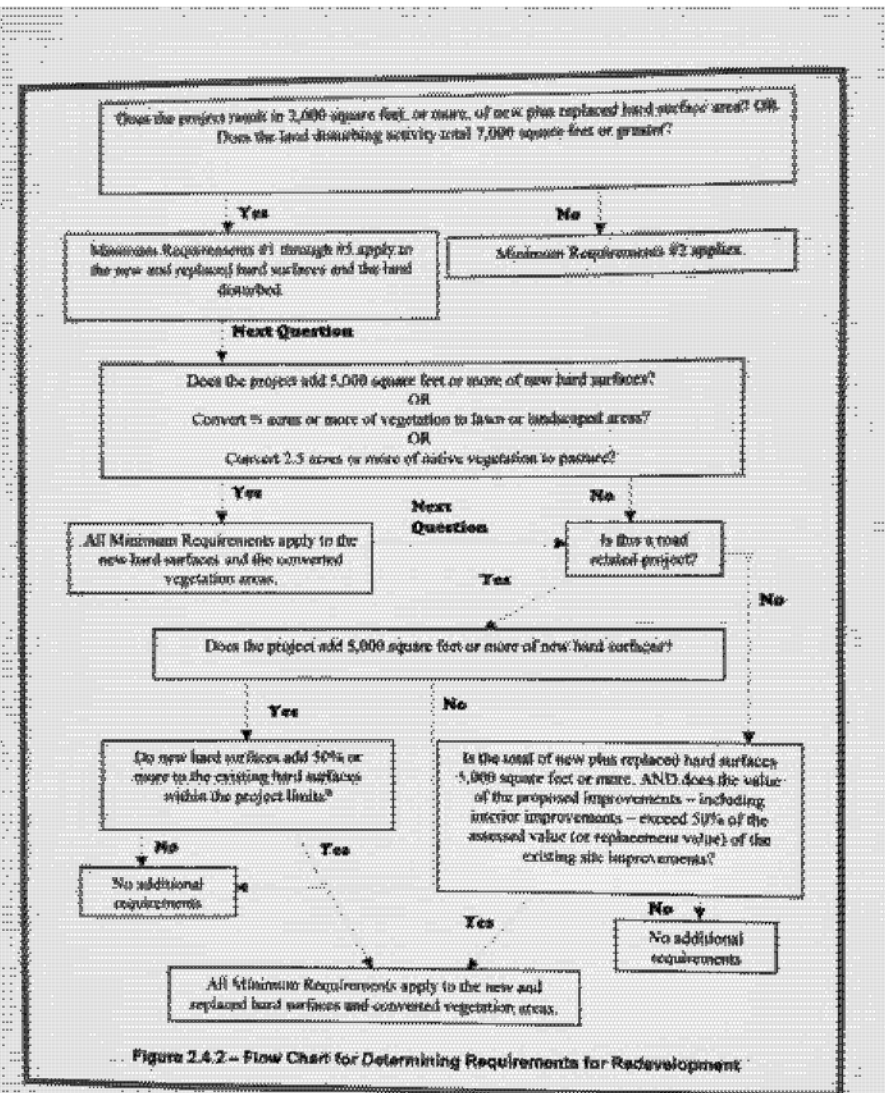
From the Department of Ecology
Storm Water Management Manual Western Washington

1.6.10 Endangered Species Act

With the listing of multiple species of salmon as threatened or endangered across much of Washington State, and the probability of more listings in the future, implementation of the required standards is imperative.

The runoff from roads and highways is contaminated with pollutants from vehicles. Oil and grease, polynuclear aromatic hydrocarbons (PAH's), lead, zinc, copper, cadmium, as well as sediments (soil particles) and road salts are typical pollutants in road runoff.

Residential areas contribute the same road-based pollutants to runoff, as well as herbicides, pesticides, nutrients (from fertilizers), bacteria and viruses (from animal waste). All of these contaminants can seriously impair beneficial uses of receiving waters.



Proposed Biofiltration

SWMMWW says bioretention facilities are acceptable if they have a minimum horizontally projected surface area below the overflow which is at least 5% of the total surface area draining to it.

Considering that 35% of the two acres will be impervious surfaces that would be approximately 29,400', and 5% of that = 1470'.

The proposed bioswale measures 95'x 5' at the top (95' x 2' at the base) or 475', not nearly adequate for dealing with the storm water generated by developing this property.

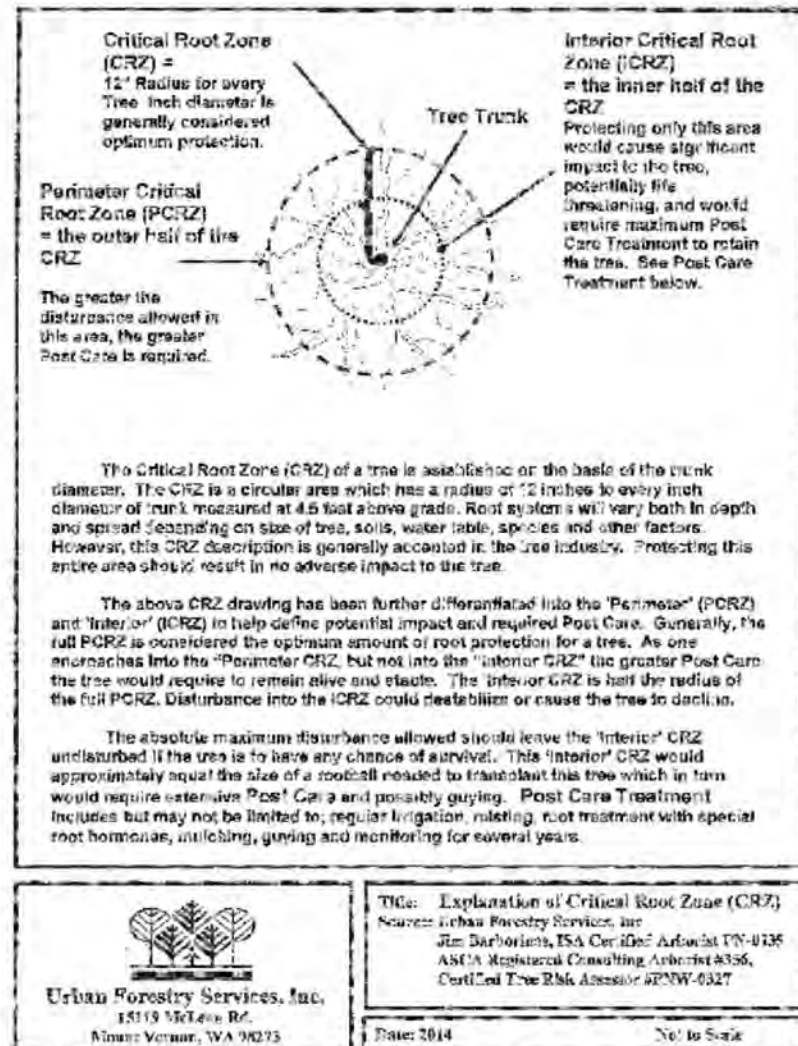
Utilities located within bio-infiltration swale location



Trees cannot be saved when excavating for driveway and paving K Ave.



Specimen listed for saving is 21.5" diameter. Needs to have a radius of 21 feet of undisturbed area to preserve tree.



AMC 17.41.020

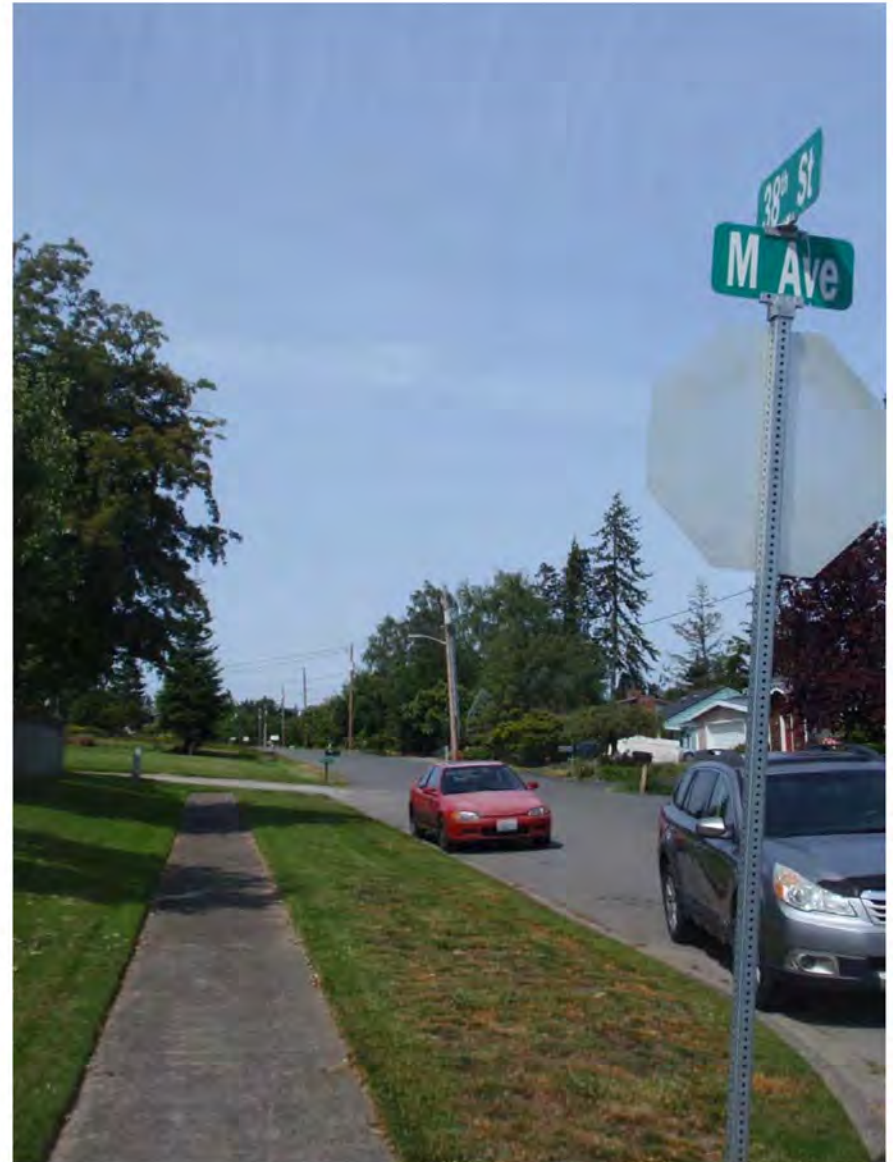
G. Landscaping will be installed when developing new plats, including short plats and when building on undeveloped existing lots in conformance with the following requirements. The percentage of each site to be landscaped is to be regarded as a minimum to be achieved on site, prior to subdivision of individual lots..

In R2 zoning, the requirement is 20% of the gross site area to be landscaped.

AMC 16.32.020 - Pedestrian facilities.

Provisions for pedestrian travel shall be made on all streets. Sidewalks shall normally be separated from curb and gutters by a planted median at least six feet in width. The city engineer is authorized to modify or eliminate the separation width whenever sound engineering/construction considerations indicate such action is warranted.

New construction
should continue
38th St. sidewalk
with planter strip



This application needs further review

Get specifications for drainage plan; increase biofiltration area

Confirm lots meet minimum setbacks; reduce the number of lots as needed

Plan sidewalks and landscaping to include planting strip along 38th St.

Plant trees in planting strip to accommodate trees not saved due to inadequate tree preservation plan.



Public Works
Engineering and Development Services

Street Improvement Requirements

Date: June 4, 2004
To: William L. Olsch
SVC0 LLC
1015 14th Street
Annapolis, VA 20721
From: Steve Lange
Project Manager
Re: 1512, 1515, 1520 38th Street

The Public Works Department determined a more practical benefit can be achieved at this site by constructing improvements other than standard curb, gutter, sidewalk, and storm drainage. Instead, your permit will require you to:

- Dedicate the south 5 feet of your property to the City.
- Provide emergency vehicle turnaround, as shown on attached drawings.
- *12-inch storm drain* ~~Widest~~ the existing pavement to within 18 inches of the fire utility poles, and power into the new utility trenches to 38th Street.
- Install a 6-inch rock base, 8 feet wide between the two curb cuts. Install a 12-inch storm drain from the catch basin under the existing street to the drainage ditch on the south side of 38th Street.
- Provide a 10-foot utility easement on the north and west sides of your property.
- Install a 12-inch storm drain along the north property line in this City easement.
- Tie the foundation and light line drains from the three new houses into this 12-inch storm drain.
- Obtain easements from neighbors down fill from your property for City storm sewer extension to tie into your storm sewer.

Please call me at 293.1920 if you have any questions.

Steve Lange
Steve Lange, Project Manager

cc: Terry Barnes
Mark Moser
Don Moser
Walter Pile
Michelle Carson

City of Annapolis
Engineering and Development Services
100 Bay 90
Annapolis, MD 20721

Telephone: 293.1920
Fax: 293.1920



Public Works
Engineering and Development Services

January 5, 2005

Richard Brown
Castlehead Homes
P.O. Box 917
Annapolis, MD 20721

Dear Mr. Brown:

Subject: Drainage for Olsch Short Plot on 38th Street

The storm drainage for the three lots that you will be building on will need to pass a 12-inch culvert installed along the north property line with a type one catch basin installed at the east and west property lines. The grade for this culvert will be determined on the foundation elevations and on the ability of the City of Annapolis to connect to said culvert in the future. On the east end of the culvert there will need to be a 6-foot wide, by 20-foot long, by 8-foot deep (minimum) dry well installed for temporary dispersal of the storm water runoff from the three houses. At this time the process has been started of designing a 12-inch storm line to run to the east at a 20-foot wide utility easement along the adjacent properties that will connect to the existing storm system on 38th Street. This will eliminate the need for the drywell, and give the three lots positive drainage.

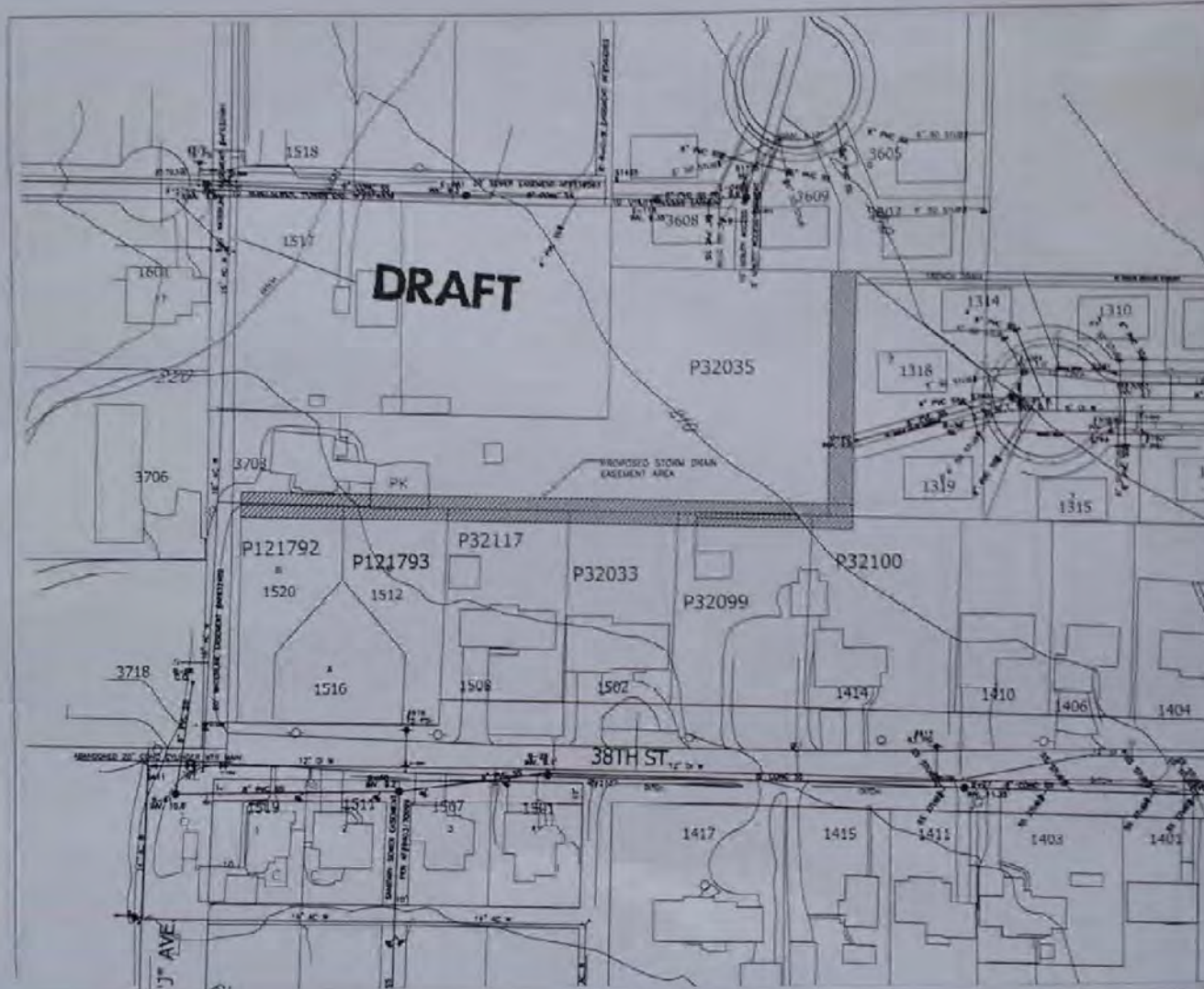
Sincerely,

Don Moser
Don Moser
Public Works Inspector
City of Annapolis

cc: Steve Lange, Don Moser, Ed Fane, Terry Backhouse

City of Annapolis
Engineering and Development Services
100 Bay 90
Annapolis, MD 20721

Telephone: 293.1920
Fax: 293.1920



DRAFT

WEST STREET STORM DRAIN EASEMENT

CITY OF ALABAMA
ENGINEERING DEPARTMENT



1" = 100'
1" = 100'
1" = 100'
1" = 100'
1" = 100'
1" = 100'
1" = 100'
1" = 100'
1" = 100'
1" = 100'



1



How can we have good faith in code being followed?



Frontage?
Footprint more
than 35%?
Setback 20'?
2 parking spaces?
Landscaping?
Planter strip?
Drainage being
filtered?

Questions for you

- Are you satisfied with the appearance of the new development in Anacortes?
- What reassurance can citizens have that all requirements of an approved development plan are completed BEFORE building begins?
- Should our city work progressively to use best management practices for storm water drainage so as to protect the Salish Sea or use outdated practices as long as we can get away with it?
- Should our city be doing more to improve pedestrian amenities and landscaping as we infill and subdivide lots?

How do we want our community to look?



Concrete predominates



Urban village with shade trees



Anacortes City Council

Proposed Agenda Items for the Next Eight Weeks Beginning July 5, 2016

Subjects listed below have been tentatively suggested for consideration by the Anacortes City Council on the dates indicated. Items may be added to, removed from or rearranged on this list. Routine business such as approval of minutes, vouchers and consent agenda items is not included. The complete Preliminary Agenda for each meeting is published at 3:00 on the Wednesday prior to the meeting. Published Agendas are subject to change and may be updated following the posting period. For additional information on agenda topics, please contact the City Clerk's office at 360-299-1960 to be directed to the sponsoring staff member.

July 5, 2016

- 2016 Comprehensive Plan Update: Final Review/Draft Ordinance
- Resolution 1946 (Version 7): Setting Fire Protection LOS Standard and Budget/Revenue Allocation (Action)

Executive Session (15 Minutes) per RCW 42.30.110 (b, c) : Potential Real Estate Transaction

July 11, 2016

Executive Session (2 Hours) per RCW 42.30.110 (b, c) : Potential Real Estate Transaction

July 18, 2016

- Public Hearing: Ordinance 2979/Resolution 1963: Stormwater Utility Monthly User Fee Rate and Code Update (Discussion/Possible Action)
- Ordinance ____: Adopting 2016 Comprehensive Plan
- Solar Grant Update (Discussion/Possible Action)
- Fire Equipment Rental Fund - Non Fueled Equipment (Policy)
- Tourism Promotion Planning Committee Strategic Plan Presentation (Discussion/Possible Action)
- Finance Update (Discussion)

July 25, 2016

- Medical Marijuana Update (Discussion)

August 1, 2016

- Update: Hazardous Materials Response and LOS for Anacortes

August 8, 2016

August 15, 2016

August 22, 2016

Upcoming City Council Committee Meetings

The public is welcome to attend City Council Committee Meetings.

- Planning, Monday, Jun 27, 2016, 5:00 PM, Main Floor Conference Room (Parks Office)
- Public Works, Tuesday, Jul 5, 2016, 5:00 PM, Public Works Director's Office
- Public Safety, Tuesday, Jul 5, 2016, 5:00 PM, Main Floor Conference Room (Parks Office)
- Housing Affordability and Community Services, Thursday, Jul 7, 2016, 1:30 PM, Main Floor Conference Room (Parks Office)
- Planning, Monday, Jul 11, 2016, 5:00 PM, Main Floor Conference Room (Parks Office)
- Finance, Wednesday, Jul 13, 2016, 5:00 PM, Johnny Picasso's, 501 Commercial Avenue
- Personnel, Monday, Jul 18, 2016, 5:00 PM, Main Floor Conference Room (Parks Office)
