

City Council Study Session Minutes – March 28, 2016

Mayor Laurie Gere called to order the regular Anacortes City Council study session of March 28, 2016 at 6:00 p.m. Councilmembers Eric Johnson, Ryan Walters, Erica Pickett, Brad Adams, Liz Lovelett, John Archibald and Matt Miller were present.

Northwest Clean Air Agency Presentation

Planning Director Don Measamer introduced Mark Buford, Deputy Director of the Northwest Clean Air Agency, to provide an update on Anacortes air quality. Mr. Buford shared a slide presentation which was added to the packet materials for the meeting. He summarized the role of NWCAA and other clean air agencies under the Washington State Clean Air Act (RCW 70.94) to regulate stationary sources of air pollution in their jurisdictions, excluding tribal lands. Mr. Buford then addressed the emissions of nitrogen oxides in Skagit County (most recent figures 2011), 61% of which was emitted by mobile sources and 35% by commercial/industrial sources. He displayed maps indicating the location of known point sources of air pollution in Anacortes and also the NWCAA's five local outdoor air quality monitoring locations (four on March Point and one in downtown Anacortes) and 31 permanent continuous emission monitors on March Point at the refineries. Mr. Buford addressed questions from Ms. Lovelett about how the monitors account for wind direction and from Mr. Johnson about the extent to which the monitors pick up pollution from stationary and mobile sources. He then summarized the results of the EPA health risk evaluation which determined that emissions standards had reduced the cancer risk of refinery operations nationwide to an acceptable level. He explained that EPA would nevertheless be adding requirements in 2018 to achieve an "ample margin of safety". Mr. Buford illustrated the dramatic reductions in sulfur dioxide emissions at the March Point refineries over the past ten years. He concluded that air quality in Anacortes is excellent and advised that live readings from the emissions monitors were available on the NWCAA website. Mr. Buford said he was confident that Anacortes would make the list of the American Lung Association 25 Cleanest Cities. Councilmembers asked Mr. Buford to forward a link to the full EPA health risk evaluation results. Mr. Buford concluded by responding to councilmember questions about NWCAA funding, repercussions of violations, and regulation and education regarding residential wood burning.

2016 Comprehensive Plan Update Discussion - Land Use, Housing

Planning Manager Libby Grage invited Councilmembers to continue the review begun at the March 21, 2016 meeting of the land use designations table LU-1 and the land use designations map.

Regarding table LU-1, Ms. Grage showed that staff had revised the wording to address "principal" uses rather than "allowed" uses and made listed uses less specific in the table in favor of increasing specificity in the subsequent development regulations. Staff inquired if that captured the essence of councilmember preferences expressed at the March 21 session. Ms. Pickett suggested establishing a maximum lot size. Ms. Grage suggested that could be addressed in the development regulations. Mr. Miller asked about reconciling inconsistencies between Title 17 and the land use element of the updated comprehensive plan. Mr. Measamer advised that staff would complete that.

Councilmembers then turned to consideration of the Land Use Element map and revisions to it recommended by the Planning Commission.

Regarding Item A, reducing lot size to 6000 SF in the R2 zone east of Anacopper Mine Road, councilmembers concurred with the proposed change.

Regarding Item B-1, retaining the 6000 SF lot size in Old Town, Councilmembers Johnson, Walters, Pickett, Adams, and Lovelett concurred. Mr. Archibald and Mr. Adams preferred 3000 SF lots with design standards to preserve the neighborhood character. Ms. Grage advised that reducing lot size to 3000 SF was estimated to add 90 dwelling units to Old Town. Councilmembers generally agreed with Mr. Measamer that more and better options for ADUs in Old Town and increasing density in other neighborhoods would be better options.

Regarding Item O, rezoning San Juan Passage/Portalis area from CM to R2 with 6000 SF minimum lot size, Mr. Johnson, Mr. Adams, Ms. Lovelett, Mr. Archibald and Mr. Miller concurred. Ms. Pickett urged creating a shoreline residential zone or public access residential zone to help alleviate conflicts between trail users and residents, in this location and several others with shoreline trails. Mr. Measamer advised that the Shoreline Master Program could provide additional regulatory measures and that the development regulations could address setbacks.

Regarding Item Y, the 1.5 blocks SE of 4th Street and M Avenue, Mr. Measamer summarized the various options and public input that had been considered for this area. Councilmembers discussed the options and goals for this area at length, with most agreeing on the goal of preserving a buffer between Old Town residential and current industrial uses. Based on that discussion, Mr. Measamer suggested changing the map designation with the language, "explore a transition zone with possible live/work."

Regarding Item W, rezoning the city-owned land at Sharpes Corner to R3, Councilmembers generally supported R4 zoning instead. They discussed means of encouraging mixed use development and affordable housing in the area, including through subarea planning and developer agreements. Mr. Measamer suggested adding map designation for Items J and W described as "high density residential with mixed uses via development agreement." Councilmembers concurred.

Regarding Item S, the CM zone including and north of Weaverling Spit, Mr. Measamer advised that staff recommended leaving that zoning unchanged given that very few development scenarios were currently feasible there, then in future seeking a non-residential zoning designation more consistent with the area's shoreline designation. Councilmembers were generally supportive of that approach.

Regarding Item V, the LM1 zone directly south of Item S, Mr. Measamer recommended the same approach and councilmembers were supportive. Mr. Walters urged city acquisition of the few parcels in this area.

Regarding Item F, the proposal to zone the MJB property with a new Marine Mixed Use designation including developer agreements, councilmembers supported that change.

Regarding Item P, the proposed Hospital Overlay, councilmembers engaged in extended discussion of the hospital's proposal and the Planning Commission and public comments surrounding the idea. Most but not all councilmembers felt that any overlay should be bounded by an alleyway and not run all the way to Commercial Avenue. Several councilmembers suggested that the overlay should extend further north and/or south than proposed. Ms. Pickett suggested the overlay should coincide with the current R4A zone. No consensus was reached. Mr. Measamer suggested having Island Hospital provide updated information including a master site plan to address councilmember questions and concerns.

At approximately 8:10 p.m., Mayor Gere called a five minute break. At 8:18 p.m. the mayor called the meeting back to order.

Mr. Measamer initiated Council's review of the Land Use Element goals and policies. He invited councilmember questions or comments on the draft which had been distributed for the March 21, 2016 meeting. Councilmembers suggested removing the word "marine" from Policy LU-2.F. Ms. Lovelett asked about requiring solar panels on homes over some threshold value. Mr. Measamer suggested that could be addressed in Environment Element Goal EC-8 and related development regulations. Mr. Johnson requested replacing abbreviations such as ROW (right of way) with full text for more clarity. Ms. Lovelett and Mr. Walters objected to the top photograph illustrating Goal LU-3. Councilmembers discussed Policy LU-4.6 at some length, generally favoring incentive zoning but expressing concern about the geographic extent of the program. Mr. Walters urged striking "(similar to Transfer of Development Rights)" and making the immediately following paragraph an example, not prescriptive. Mr. Miller asked about the coding designations in Table LU-2. Mr. Walters urged eliminating that table altogether. Councilmembers discussed defining duplexes, triplexes and ADUs, whether they have to be attached, how they combine with lot sizes, and how they are financed. Mr. Measamer suggested that the development regulations would address these questions more specifically. Ms. Pickett suggested allowing multifamily units to

substitute a car share program for parking. Mr. Johnson asked about sidewalks; Mr. Measamer said that was addressed in the Transportation Element. Ms. Lovelett asked about electric vehicle charging stations; Ms. Grage said that was also addressed in the Transportation Element. Ms. Pickett questioned the term "façade massing" in Policy LU-7.1C; Ms. Grage indicated that term could be struck or replaced with something more commonly understood. Ms. Lovelett suggested specifically encouraging the use of portions of unopened right of way adjacent to private residences for private food gardening; Mr. Walters suggested that be added to LID policy. Ms. Lovelett and Mr. Miller asked to add Sharpes Corner to the list of Subarea Plans.

Mr. Measamer invited Council to begin review of the Housing Element goals and policies. Councilmembers discussed at length affordable housing Goal H-3 and related implementation strategies and development regulations. Councilmembers requested a definition of "affordable". Mr. Archibald suggested "below market rate". Mr. Adams reminded that providing for living wage jobs is also part of making housing affordable. Mr. Measamer suggested expanding Policy H-3.6 or adding a new policy to reference inclusionary zoning and other language from the sidebar. Mr. Walters suggested waiving impact fees for affordable housing. Mr. Archibald suggested allowing multiple ADUs as long as off street parking was available; Mr. Measamer said ADUs could also be allowed with only on street parking, and without requiring owner occupation, all of which could be handled by the development regulations. Ms. Grage suggested that Policy LU-6.6 could be recycled for the Housing Element. Mr. Walters called for language to require, rather than encourage, affordable housing. Ms. Lovelett suggested prioritizing these topics since available land in Anacortes continues to diminish. Mr. Walters said CBD side street residential needs to be subject to affordable housing as well. Ms. Grage observed that anywhere property was being upzoned some affordable housing could be required as part of the public benefit. Mr. Johnson observed that Policy H-3.9 calls for a "task force" but that the new City Council Affordable Housing and Community Services Committee serves that role and could be specified by name. Mr. Measamer and other committee members agreed that the committee would allow successful strategies to be developed quickly.

Ms. Lovelett inquired if councilmembers could continue to email comments on the Land Use and Housing elements to Mr. Measamer and Ms. Grage. Mr. Measamer agreed.

There being no further business, at approximately 9:18 p.m. the Anacortes City Council study session of March 28, 2016 was adjourned.