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- The public may also watch or listen to the meeting live by visiting <https://us02web.zoom.us/j/84685300609>.
- Listen to the meeting by phone (if one number does not work, please try the other number): 1-253-215-8782 and enter Meeting ID 846 8530 0609 or 872-240-3412, Access Code: 261-991-485
- The public is encouraged to comment via email to pced@cityofanacortes.org, via written comment addressed to PCED, P.O. Box 547, Anacortes, WA 98221, or via e-comment (<https://www.anacorteswa.gov/700/Watch-Meetings> - click on meeting you wish to provide comment and in upper right corner is an option to include Public Comment). Public comments received prior to 3:00 p.m. the day of the meeting will become part of the record for the meeting, just as if presented in person.
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ANACORTES PLANNING COMMISSION

May 10, 2023

AGENDA

6:00 PM

A. Roll Call

B. Minutes

- 1) Minutes of March 8, 2023

C. Correspondence

D. New Business

- 1) Public Hearing: Conditional Use Permit Application CUP-2023-0001 5th Street Retreat Bed & Breakfast

E. Old Business

The City of Anacortes encourages people with disabilities to participate in public meetings. For assistance with special needs, please contact the City Clerk at 360-299-1960 in advance of the meeting.



Planning Commission Public Hearing Minutes for March 8, 2023

This is not a verbatim transcript of the meeting and is written to capture the general spirit of the discussion based upon notes and video observation by the author. To view the video recording of this meeting, click [here](#), or go to <https://www.anacorteswa.gov/700/Watch-Meetings>.

Commission Chair MacKenzie called the Public Meeting of March 8, 2023, to order at 6 p.m.

Roll Call: Members Present: Commissioners Jeff Graf, Ward MacKenzie, Frank Jeretzky, Jim Stoneman & Linda Martin; **Members Absent:** Gary Molyneaux

Staff Present: Don Measamer, Libby Grage, Grace Pollard, Rob Frisinger and Nathan Goldschmidt

Minutes: The minutes from January 11, 2023, were accepted as presented.

Correspondence:

1. Update on Planning, Community, and Economic Development (PCED) Department activities

Director Measamer began a presentation describing the general responsibilities of the PCED Department. Rob Frisinger continued the presentation describing trends in building permit applications. Grace Pollard then gave an update on current and recent land use permit applications. Libby Grage then presented on trends in land use permits and provided a timeline summarizing previous and upcoming legislative action related to land use.

2. Update on Federal and State CDBG Activities

Director Measamer gave a presentation summarizing how the Community Development Block Grant is distributed and the projects and individuals who have benefited from this grant.

With no further discussion, Commissioner Chair MacKenzie concluded the meeting at 6:41 PM.



Planning Commission Agenda Bill

Meeting Date: May 10, 2023 **Agenda Item:** D.1.

Subject: Public Hearing: Conditional Use Permit Application CUP-2023-0001 5th Street Retreat Bed & Breakfast

Staff Contact: Grace Pollard

Approved for Submittal to Commission by

Cheri Gleichmann
LIBBY GRAGE

Action Type

Public Hearing

Summary Statement: The property owners and residents of 1303 5th Street have applied for a Conditional Use Permit to operate a Bed and Breakfast from their residence located in the Old Town (OT) zone. The Applicant is proposing the use of one (1) bedroom in the residence for the bed and breakfast use.

Background: See attached staff report

Previous Action: none

Competing Viewpoints Considered: During the public comment period, no written comments were received. During the public hearing, consideration can be made for any verbal testimony.

Recommended Motion: I move to recommend approval of Conditional Use Permit CUP-2023-0001 with the noted conditions 1-5 contained in the staff report.

Alternative Actions: Approve with modified conditions or deny.

Attachments (listed in order presented):

1. Exhibit 1 Staff Report
2. Exhibit 2 Site Plan
3. Exhibit 3 AMC 19.44.050 Overnight Lodging
4. Exhibit 4 AMC 19.36 Conditional Uses
5. Exhibit 5 Master Land Use Permit Application
6. Exhibit 6 Conditional Use Permit Checklist
7. Exhibit 7 Notice of Application and Public Hearing
8. PC-DRAFT Recommendation



Anacortes Planning, Community & Economic Development Department

904 6TH Street / P.O. Box 547, Anacortes, WA 98221

360.299-1984 - Office Hours: Mon-Fri 8:00 AM – 5:00 PM

STAFF REPORT

A. PROJECT SUMMARY DATA

PROJECT INFORMATION:

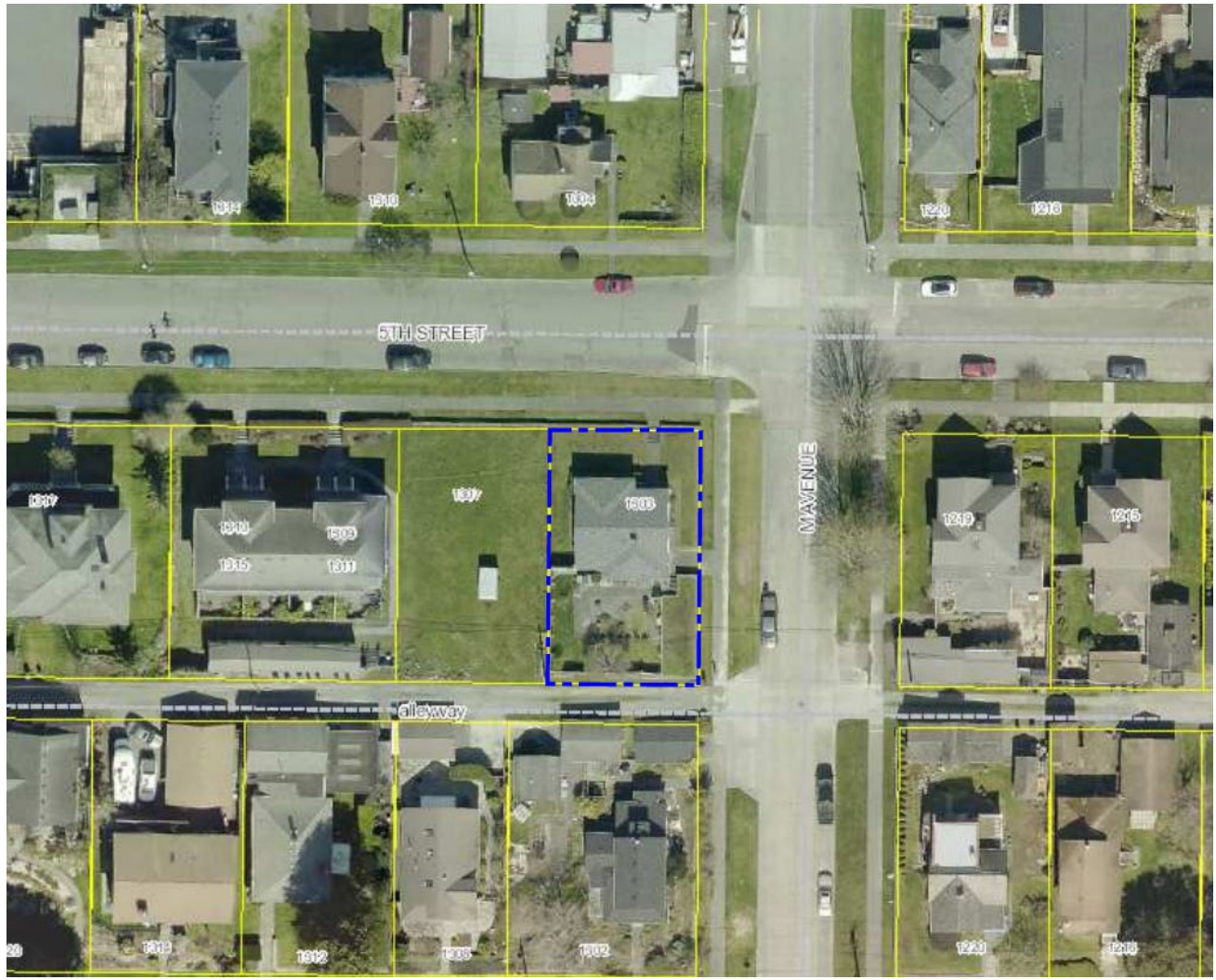
File Number	CUP-2023-0001	Date of Report	May 3, 2023
Project Title	5 th Street Retreat		
Project Address	1303 5 th Street	APN(s)	P55653
Request	The property owners and residents of 1303 5 th Street have applied for a Conditional Use Permit to operate a Bed and Breakfast from their residence. The Applicant is proposing the use of one (1) bedroom in the residence for the bed and breakfast use. The Applicant will remain residing on premises and will operate the bed and breakfast per Anacortes Municipal Code (AMC) standards 19.44.050(B) . No change to the residence is proposed beyond what has been permitted. A curb cut and driveway apron to existing garage access will be required as a condition of approval.		
Background	The subject property was developed in 1952 with one (1) residential dwelling, an attached, basement level, 1-car garage, and open space. Per the site plan (Exhibit 2) the subject property can accommodate required parking with two (2) existing parking spaces and one (1) newly established parking space off the alley.		
Property Owner(s)	Gregory Smith and Denise Hermans-Smith		
Applicant	Same as property owners		
Application Date	March 15, 2023	Complete Application Date	April 5, 2023
PC Public Hearing Date	May 10, 2023	CC Closed Record Decision Hearing Date	May 22, 2023
Comprehensive Plan Designation	Old Town	Zoning	Old Town (OT)
Water Supply	City	Sewer Supply	City

STAFF RECOMMENDATION: Approve, with conditions

CITY STAFF CONTACTS:

Name:	Title:	Phone:	E-mail:
Grace Pollard	Senior Planner	360-588-8231	gracep@cityofanacortes.org

PROJECT LOCATION & SURROUNDING AREA



SITE & SURROUNDING USES:

	Comprehensive Plan	Zoning	Land Use
North	Light Manufacturing	LM	Light Manufacturing
East	Old Town	OT	Old Town
South	Old Town	OT	Old Town
West	Old Town	OT	Old Town

B. PROCEDURAL

1. **Type of Review.** The proposed Bed & Breakfast use is considered "Overnight Lodging" per AMC 19.44.050(B) and can be permitted with a conditional use permit (CUP) per AMC Table 19.41.040.

The application for a CUP is a Type 4 review process, requiring a preapplication meeting with city staff, a preapplication neighborhood meeting, a 21-day public comment period, a public hearing before Planning Commission, and a closed record decision hearing before City Council.

2. **Project history.** The mandatory preapplication meeting was held on December 27, 2022, with the mandatory neighborhood meeting being held on March 14, 2023. The application for a conditional use permit was submitted on March 15, 2023 and determined to be complete on April 5, 2023.
3. **Public notice and reviewing departments/agencies.** A joint notice of application and public hearing with a 21-day public comment period was published in the Anacortes American, posted on the City website/City Hall/City Library, posted on the subject site, and mailed to property owners within 300 ft. on April 12, 2023.

The project application was routed for review to applicable agencies and City departments. No comments of concern were received by agencies or City departments.

4. **Consideration of written comments and applicant responses.** The joint notice of application and public hearing was issued on April 12, 2023. No written comments were received during the public comment period.
5. **Environmental review.** The proposed development is exempt from SEPA pursuant to WAC 197-11-800 and AMC 18.04.120.
6. **Public Hearing.** A pre-decision open record public hearing before the Planning Commission is to be held on May 10, 2023, at 6:00 PM, the City Council Closed Record Decision Hearing is scheduled for May 22, 2023, at 6:00 PM.

C. DEPARTMENT REVIEW – Findings of Fact

1. **AMC 19.44.050(B) – BED & BREAKFAST OVERNIGHT LODGING REQUIREMENTS.**

1.1. ***The owner must be the operator of the facility and must reside on the premises.***

Staff Comments: Applicant has affirmed to residing on premises and will be operating the facility themselves.

1.2. ***The owner's quarters and guest rooms must all be in the main building.***

Staff Comments: No change to the existing structure's footprint is proposed nor is a new detached structure proposed; all uses will remain in the existing building.

1.3. ***If located in a residential zone, the facility must be operated in such a manner as not to give the outward appearance of a business in the ordinary meaning of the term.***

Staff Comments: Subject property is in a residential zone. No major changes to the structure or site are proposed, including signage. Facility will not give the outward appearance of a business.

1.4. ***The use must provide off-street parking, including parking for the primary residence per AMC Chapter 19.64 in addition to one parking space per guest room.***

Staff Comments: Per AMC 19.62 two (2) off-street parking spaces are required for the use of the main residence and one (1) additional space is required for the one (1) bed & breakfast bedroom. A minimum of three (3) parking spaces are required on-site, the site plan shows the location of three (3) parking spaces provided on-site. Satisfying minimum parking requirements will be a condition of approval.

2. **AMC 19.36.040 - CONDITIONAL USE PERMIT REVIEW CRITERIA.**

Anacortes Municipal Code Chapter 19.36 provides certain criteria for approval of a Conditional Use Permit. Below are the criteria, along with staff comments:

2.1. ***The use would comply with any specific requirements for the conditional use specified elsewhere in this code;***

Staff Comments: Bed and Breakfasts are subject to the use requirement in AMC 19.44.050(B) and have been addressed in Section C.1; as proposed, the use would conform to the applicable standards.

- 2.2. ***Access to the site is appropriate considering the anticipated volume of traffic resulting from the use;***

Staff Comments: The site is accessed via 5th Street and/or M Avenue. No more traffic than that which is associated with a residential use is expected. No comments of concern were received from city departments or the public.

- 2.3. ***Off-street parking and loading facilities are adequate in terms of location, amount, and design to service the use;***

Staff Comments: Existing off-street parking is shown to be adequate and will meet minimum code requirements for the use. Loading facilities are not required.

- 2.4. ***The amount and location of open space and the provision of screening is such that buffering of incompatible uses is achieved;***

Staff Comments: Per AMC 19.44.050(B) the definition of a “bed and breakfast” is a single-family residential unit which provides transient lodging... (Exhibit 3) As the use of the property will continue to be a single-family residential unit with existing open space and off-street parking, the operation of a bed and breakfast is not considered an incompatible use and thus buffering is not required.

- 2.5. ***The location and intensity of outdoor lighting is such that it does not cast light on adjacent, adjoining, or neighboring properties;***

Staff Comments: Lighting shall not be more than what is expected with a single-family residence.

- 2.6. ***Hours and manner of operation of the proposed use, including anticipated noise generation, are not inconsistent with the adjacent or nearby uses;***

Staff Comments: A bed & breakfast is a 24-hour use just like any residential use. Per [AMC 19.69.020](#), the use must not exceed the noise levels established by the state pursuant to Chapter 70.107 RCW, and contained in Chapter 173-60 Washington Administrative Code (WAC).

- 2.7. ***Public facilities and utilities are capable of adequately serving the proposed use;***

Staff Comments: Service increase beyond that of a single-family residence is not expected. Existing services can provide adequate public facilities and utilities.

- 2.8. ***The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;***

Staff Comments: No major changes to the site are needed or proposed beyond the single parking space off the alley. The site, developed with a single-family residence with usable open space, is suitable for the proposed use.

- 2.9. ***Any other factors deemed relevant to the decision-maker.***

Staff Comments: No other relevant factors have been identified.

D. CONCLUSIONS

1. The proposed development was processed consistent with AMC Table 19.20.030-1 for Type 4, City Council review.
2. The proposed development has been reviewed for consistency with the criteria outlined in AMC 19.36 Conditional Use Permits.
3. The proposed development has been reviewed for consistency with the requirements outlined in AMC 19.44.050(B) Bed and Breakfast.
4. In making its recommendation, the Department considered timely received written comments and the applicant's responses, if any, as required in AMC 19.20.130(C). No written comments were received.

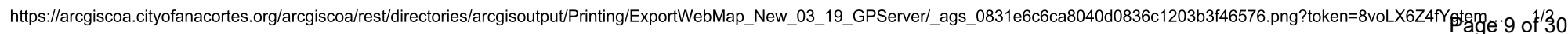
E. RECOMMENDATION

Based upon the application, Findings of Fact, and Conclusions of the staff report, staff recommends that the Planning Commission recommend approval of the conditional use permit with the following conditions:

1. The site plan stamped "APPROVED" on May 3, 2023, shall be the approved site layout.
2. A new driveway curb cut, and concrete apron must be installed on 5th Street to formally reestablish existing parking in garage and existing driveway. This will require a permit and inspections.
3. A new single car parking pad must be installed on-site off the alley to accommodate the new bed and breakfast use.
4. The property must maintain three (3) off-street parking spaces at all times while the bed and breakfast is operational.
5. The applicant must obtain a City of Anacortes business license prior to operating the bed and breakfast use.

Staff reserves the right to supplement the record of the case to respond to matters and information raised after the writing of this report.

Exhibit # 2
Page 1 of 1



19.44.050 Overnight lodging.

A. Overnight Lodging Category. Accommodations arranged for short-term stays (less than 30 days). Overnight lodging includes, but is not limited to:

1. Bed and breakfast.
2. Hotel/motel.
3. Youth hostel.

B. Bed and Breakfast.

1. **Definition.** A single-family residential unit which provides transient lodging, for compensation, by renting up to six sleeping room accommodations.
2. **Purpose.** This section is intended to ensure parking, impact on surrounding neighbors, health and safety, and other considerations limit any adverse impacts of bed and breakfasts on the surrounding neighborhood.
3. **Requirements.**
 - a. The owner must be the operator of the facility and must reside on the premises.
 - b. The owner's quarters and guest rooms must all be in the main building.
 - c. If located in a residential zone, the facility must be operated in such a manner as not to give the outward appearance of a business in the ordinary meaning of the term.
 - d. The use must provide off-street parking, including parking for the primary residence per AMC Chapter 19.64 in addition to one parking space per guest room.

C. Hotel/Motel.

1. **Definition.** A building or portion thereof designed or used for short-term rental of units for sleeping purposes, with or without cooking facilities, and which may include related accessory uses such as shared dining facilities, recreation facilities, and meeting facilities.

D. Hostel.

1. **Definition.** Relatively affordable overnight lodging with shared dormitory-style facilities. (Ord. 3040 § 2 (Att. A), 2019)

19.36 CONDITIONAL USES

19.36.010 Purpose.

Some uses in some zones are permitted subject to a conditional use permit because of their unusual characteristics, or special characteristics of the area in which they are to be located, so that they may be properly located with respect to the objectives of this title and their effect on surrounding properties. (Ord. 2992 § 1 (Att. A), 2016)

19.36.020 Applicability.

The provisions of this chapter apply to all conditional uses. (Ord. 2992 § 1 (Att. A), 2016)

19.36.030 Application requirements.

A conditional use requires a permit. An application must be submitted on forms provided by the department, and must demonstrate compliance with the conditional use criteria described in this chapter. (Ord. 2992 § 1 (Att. A), 2016)

19.36.040 Criteria.

A. In order to grant a conditional use permit, the decision maker must find that the use would be consistent with the following criteria:

1. The use would comply with any specific requirements for the conditional use specified elsewhere in this code;
2. Access to the site is appropriate considering the anticipated volume of traffic resulting from the use;
3. Off-street parking and loading facilities are adequate in terms of location, amount, and design to service the use;
4. The amount and location of open space and the provision of screening is such that buffering of incompatible uses is achieved;
5. The location and intensity of outdoor lighting is such that it does not cast light on adjacent, adjoining, or neighboring properties;
6. Hours and manner of operation of the proposed use, including anticipated noise generation, are not inconsistent with the adjacent or nearby uses;
7. Public facilities and utilities are capable of adequately serving the proposed use;
8. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;
9. Any other factors deemed relevant to the decision-maker. (Ord. 2992 § 1 (Att. A), 2016)

19.36.050 Conditions authorized.

A. In permitting a conditional use, the decision-maker may impose, in addition to regulations and standards expressly specified in this code, other conditions necessary to ensure compatibility with the conditional use criteria.

B. These conditions may include, but are not limited to:

1. Requirements increasing the required lot size or yard dimensions;
2. Increasing street widths, controlling the location and number of vehicular access points to the property;
3. Increasing the number of off-street parking or loading spaces required;
4. Limiting the coverage or height of buildings or structures or requiring screening and landscaping where necessary to reduce noise and glare and maintain the property in a character keeping with the surrounding area; and
5. Requirements under which any future enlargement or alteration of the use must be reviewed by the city and new conditions imposed. (Ord. 2992 § 1 (Att. A), 2016)



PLANNING, COMMUNITY, & ECONOMIC DEVELOPMENT DEPARTMENT
Mailing Address: P.O. Box 547, Anacortes, WA 98221
Office Location: 904 6th Street, Anacortes WA 98821
Phone: (360) 299-1984

MASTER LAND USE PERMIT APPLICATION

TYPE OF APPLICATION (check all that apply):

- | | | |
|---|---|--|
| ☐ Binding Site Plan (Preliminary)**
☐ Boundary Line Adjustment (BLA)**
☐ BLA: Lot Consolidation**
☒ Conditional Use Permit (CUP) **
☐ Critical Areas Exemption**
☐ Critical Areas Permitted Alteration**
☐ Critical Areas Reasonable Use Exception/Variance**
☐ Cottage Housing Development** | ☐ Eligible Facility Request**
☐ Essential Public Facility
☐ Home Occupation Permit**
☐ Long Subdivision (Preliminary)**
☐ Plat Amendment /Modification
☐ SEPA Environmental Review**
☐ Shoreline Conditional Use Permit**
☐ Shoreline Exemption**
☐ Shoreline Substantial Development Permit** | ☐ Shoreline Variance**
☐ Short Plat (Preliminary)**
☐ Site Plan Review **
☐ Site-Specific Rezone Authorized by the Comprehensive Plan
☐ Stormwater Management Manual Adjustments & Exceptions
☐ Variance **
☐ Wireless Conditional Use Permit (WCUP)**
☐ Wireless Service Facility (WSF) Permit** |
|---|---|--|

****Permit type has supplemental checklist that must be submitted with Master Land Use Permit Application**

PROJECT & SITE INFORMATION:

SITE ADDRESS: 1303 5th street	PROJECT NAME: 5th street retreat
PARCEL NUMBER(S): 55653	SECTION, TOWNSHIP, & RANGE Old Town
LOT SQUARE FOOTAGE & ACREAGE: 0.1400 ac	PROJECT VALUATION: \$8000
LEGAL DESCRIPTION: lots 1&2, Block 102 map of the COA Skagit County, Washington as per plat recorded in volume 2 of plats, pages 4-7 records of skagit county Washington	PRESENT ZONING: Residential
PRESENT USE OF PROPERTY: Residential	CUT & FILL (CY) PROPOSED: NA
PRE-APPLICATION CONFERENCE HELD?: ☒ Yes, the City file # is <u>project file no. PRE-2022-0045</u> ☐ No	WATER SOURCE: ☒ City of Anacortes ☐ Private Well ☐ Community Well

SEWAGE DISPOSAL: ☒ City of Anacortes ☐ Septic		ROAD ACCESS: ☒ City Road ☐ State Highway ☐ Private Road	
CRITICAL AREAS OR BUFFERS ON SITE OR WITHIN 300 FEET: ☐ Yes* ☒ No ☐ Unknown <i>*If yes, please complete the Critical Area Identification Form</i>		SHORELINES WITHIN 200 FEET: ☐ Yes / Name: _____ ☒ No	
FLOODPLAIN: Flood Zone: NA FIRM Panel # Date of Panel:			
LOT COVERAGE AREA CALCULATIONS: Existing Square Footage: 0.1400 ac Proposed Square Footage: no change			
IMPERVIOUS SURFACE AREA CALCULATIONS: Existing Impervious Square Footage: NA New Impervious Surface: NA			
DESCRIPTION OF SUBJECT PROPOSAL: ☐ Additional pages attached			
PROPOSED WORK: <u>Converting part of our home to a Bed & Breakfast on the main level of our home. No additon or</u> <u>exteranl add on All work performed inside existing structure.</u> 			
PROPERTY OWNER INFORMATION: ☐ Multiple owners attached			
NAME: Gregory Smith & Denise Hermans-Smith		MAILING ADDRESS: 1303 5th street	
CITY, STATE, ZIP: Anacortes WA 98221		PHONE #: 206-390-9604	
FAX #:		EMAIL ADDRESS:	
APPLICANT INFORMATION: ☒ Same as property owner			
NAME:		MAILING ADDRESS:	
CITY, STATE, ZIP:		PHONE #:	
FAX #:		EMAIL ADDRESS:	
CONTACT PERSON: ☒ Same as property owner ☐ Same as applicant			
NAME:		MAILING ADDRESS:	
CITY, STATE, ZIP:		PHONE #:	
FAX #:		EMAIL ADDRESS:	

ACKNOWLEDGEMENTS & SIGNATURE

Read and initial each of the following statements prior to signing this application:

GS	I understand that land use and/or planning permits do not authorize earth disturbing activities, the removal of vegetation, or the construction of buildings. I understand that additional permits will be required after my land use and/or planning permitting process is completed. I understand that no earth disturbing activities (including the removal of vegetation) may take place until after my land use and/or planning process is complete, and only after I have received additional permits such as Fill & Grade, Building Permit, or Right-of-Way permit(s).
GS	I understand that if critical areas (wetlands, streams, steep slopes, etc.) are found on or near my property I am not authorized to impact these areas in any way and will be required to leave an undisturbed buffer area around the critical area, as determined according to the City's critical areas regulations.
GS	I understand that depending on the size and scope of my project, I may be required to provide maintenance and/or performance bonds for items such as landscaping, critical areas, public roads and/or public utilities that I construct or install.
GS	I understand that I am solely responsible for providing complete and accurate information to the City. I understand that if my application is missing information or if inaccurate materials are submitted, my permits will be delayed. I understand that depending on how inaccurate and how incomplete my application is or becomes, the Department may require an entirely new application be submitted. I understand that when and if conditions change from that which my application originally represented, I am responsible for letting the City staff person assigned to my project know.
GS	I understand that I am applying for permits from the City of Anacortes only; and that additional permits from other Federal, State, and Local agencies could be required. I understand that the City of Anacortes cannot advise me of permits that are required from other agencies, and that I must contact these agencies to make sure I comply with their requirements. These agencies include (but are not limited to): Corps of Engineers, Department of Natural Resources, Department of Fish & Wildlife, Department of Ecology, and Northwest Clean Air Agency.
GS	I understand that I will be responsible for paying consultants that the City may deem necessary to review certain aspects of my application. I understand that these consultant reviews could include special inspections, traffic concurrency, critical areas, landscaping, stormwater, etc.

Signature required on next page.

By affixing my signature hereto, I certify that I am the owner, or am acting as the Owner's authorized agent*, and that the application and documents contained with this submittal are complete and accurate to the best of my knowledge and abilities.

If your title report lists a company, partnership or other owners, you must submit evidence that you are authorized to sign on behalf of the entity or others that are listed.

Please attach additional signature sheets if there is more than one owner.

Under penalty of perjury, I certify that the information, statements, answers above regarding the subject application(s) are true and correct to the best of my knowledge and belief.

Property Owner Signature:



Printed Name:

Gregory Smith

Date:

3.15.23

Authorized Agent Signature*:

Printed Name:

Date:

***If you are an authorized agent (and not the property owner) you must submit a signed, notarized [Agent Authorization Form](#).**



PLANNING, COMMUNITY, & ECONOMIC DEVELOPMENT DEPARTMENT

Mailing Address: P.O. Box 547, Anacortes, WA 98221

Office Location: 904 6th Street, Anacortes WA 98821

Phone: (360) 299-1984

CONDITIONAL USE PERMIT

Applicant Checklist	Conditional Use Permit Submittal Checklist See pages 2-3 of this handout for information about each submittal item listed below. See AMC 19.36 for Conditional Use Permit review and approval criteria.		Office Use Only
	Master Land Use Permit Application		
	Agent Authorization Form		
	Critical Areas Identification Form, if applicable		
	Project Narrative		
	Responses to Conditional Use Permit criteria		
	Stormwater Site plan		
	Site Plan & Landscape Plan		
	Clearing & Grading Plans		
	Building Elevation Drawings		
	Environmental Checklist (SEPA)		
	Transportation Concurrency Review Form		
	Subdivision Guarantee		
	Recorded Property Boundary Survey		
	Technical Reports		
	Critical Area Report		
	Parking Study		
	Cultural Resource Survey		
Submit Application Please send applications in PDF format to pced@cityofanacortes.org . An email with a link to a file share site is also acceptable. Paper copies may be requested after initial review.		Application Fee See the Land Use Permit Fee Schedule Fees will be invoiced to you after receipt of your application.	

SUBMITTAL REQUIREMENT DETAILS

Additional details on certain submittals is provided below to ensure Applicants are fully aware what City staff will be looking for when an application is submitted to the City.

- a. **MASTER PERMIT APPLICATION:** Form attached. Use this form to indicate all requested land use permits and other key information about your proposed project.
- b. **AGENT AUTHORIZATION FORM.** Use this form to authorize someone other than the property owner to apply for permits.
- c. **CRITICAL AREAS IDENTIFICATION FORM.** Use this form to determine and/or identify if critical areas or critical area buffers are located on or within 300 ft. of the development area. If critical areas are determined to be present, a Critical Area Permit may be required.
- d. **PROJECT NARRATIVE:** Form attached. This document contains a list of elements to be included in your project narrative to help provide a clear and concise description of your proposal for those reviewing it.
- e. **RESPONSES TO CONDITIONAL USE PERMIT CRITERIA:** In order for the decision-maker to grant a conditional use permit, there must be a finding that the use would be consistent with the criteria in AMC 19.36.040. As the applicant, it is your responsibility to clearly demonstrate how each criteria is met.
- f. **STORMWATER SITE PLAN:** The Stormwater Site Plan is the comprehensive report containing all of the technical information and analysis necessary for regulatory agencies to evaluate your project for compliance with stormwater requirements. The level of stormwater review and contents of the Stormwater Site Plan will vary with the type and size of the project, and individual site characteristics. Use Form CG-3 to determine the level of stormwater review and then complete the applicable Stormwater Minimum Requirements Form on the Public Works - [Engineering Department Forms website](#) and provide required submittal items/plans.
- g. **SITE & LANDSCAPE PLANS:** These plans are needed so that your proposal can be reviewed for conformance with the applicable zoning and land use, community design, and project design provisions of the development regulations contained in AMC Title 19 Unified Development Code. (Use the site plan checklist for Single Family Residential Building Permits or Multi-Family and Non-Residential Site Plan review, as applicable (see [application checklists](#) and forms)
- h. **CLEARING & GRADING PLANS:** Checklist is located in the [Clearing/Grading Permit application packet](#). These plans are needed so that your proposal can be reviewed for conformance with [AMC 19.78 Clearing and Grading](#).
- i. **BUILDING ELEVATION DRAWINGS:** Checklist attached. These plans are needed so that your proposal can be reviewed for conformance with the applicable project and building design provisions in AMC Title 19 Unified Development Code. (Use the building elevations checklist for Single Family Residential Building Permits or Multi-Family and Non-Residential Site Plan review, as applicable (see [application checklists](#) and forms).
- j. **SEPA CHECKLIST:** Unless a project is categorically exempt, an environmental checklist is required to be completed and submitted.

- k. **TRANSPORTATION CONCURRENCY REVIEW FORM:** This form is used to collect information for the City's travel demand model, which is used to determine a project's impacts on the transportation system. Under GMA, the City must prohibit development approval if the development would cause the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. [AMC 19.22 Concurrency](#) contains the review criteria.
- l. **SUBDIVISION GUARANTEE:** A document prepared by a title insurance company documenting the ownership and title of all interested parties in the development and that lists all encumbrances. This document is needed to verify property ownership and to identify any encumbrances that are recorded to the property's title. Copies of all the encumbrances listed within the certificate or report must be provided. The certificate or report must be dated within 30 days prior to the submittal of a permit to the City.
- m. **RECORDED PROPERTY BOUNDARY SURVEY:** A recorded survey is required to define the limits of the property subject to the application. All property corners must be staked/marked and visible.
- n. **DIGITAL COPY OF ALL APPLICATION DOCUMENTS:** PDF format files for all submittal items, named as they appear on the submittal checklist, must be provided on a flash drive or emailed to pced@CityofAnacortes.org.

TECHNICAL REPORTS

Following is a list of technical reports that may be required to be submitted to the City depending on project and site-specific factors. The general triggers for each of the listed technical reports is provided below:

- A. **CRITICAL AREAS REPORTS:** In general, Critical Area reports are required when wetlands, streams, habitat conservation areas, geologically hazardous areas, shorelines, or aquifer recharge areas are located on or near a site. Critical area mitigation plans may also be required, depending on the project proposal. See Anacortes Municipal Code Ch. 19.70 for additional information.
- B. **PARKING STUDY:** A parking study may be required to determine the parking requirements for a specific use, adjusting minimum and maximum quantitative parking requirements, determining times of peak demand, and determining impacts to on-street parking in the vicinity of a proposed development. See AMC 19.64.020 for more info.
- C. **CULTURAL RESOURCES REPORT:** For more information on cultural resource surveys contact the Washington Department of Archaeology and Historic Preservation (<http://www.dahp.wa.gov>)
- D. **OTHER TECHNICAL REPORTS MAY BE REQUIRED TO DETERMINE /ENSURE CONFORMANCE WITH CUP CRITERIA.**

PROJECT NARRATIVE REQUIREMENTS

GENERAL INFORMATION
This form is intended to assist applicants in creating complete project narrative for site plan and building design review. Please fill in each space with the requested information.
PROJECT DESCRIPTION – Required for all project types
A. If a neighborhood meeting was held, provide the date held, general items of discussion at the meeting, and how the project proposal has been modified since the meeting, if applicable.
B. Proposed use of the Site per AMC Table 19.41.040 or 19.41.050 and any special use provisions that apply. (see AMC 19.43 – 19.48)
C. Current use of the Site. Date of construction for any existing structures on site, and whether they are to be removed or retained.
D. Description of the site's physical characteristics, including special site features (such as wetlands, water bodies, steep slopes, or other critical areas).
E. Current uses and special site features of surrounding properties.
F. Description of general design techniques you considered to implement low impact development (see AMC 19.76.050(A) and (B)) in the design of your project site and proposed stormwater facilities necessary for compliance with AMC 19.76 Stormwater.
G. Description of the proposed form and intensity of the proposed development (height, setbacks, lot coverage, etc.). (See AMC 19.42.)
H. Identification of the site's block frontage designation(s) and description of project conformance. (see AMC 19.61)
I. Description of the proposed building design, including a description of conformance with building massing and articulation, building details, building materials, and blank wall treatment requirements. (See AMC 19.63). Note: If you are proposing any departures, you must attach the applicable form.

J. Description of proposed parking for vehicles and bicycles, including provisions for guests, shared parking. (see AMC 19.65)
K. Describe existing and proposed site access from public streets and any proposed street and/or pedestrian improvements.
L. Estimated quantities and type of materials involved if any fill or excavation is proposed.
M. Number, type, and size of trees to be removed.
N. Description of existing site utilities and proposed utilities, including extensions, upgrades, relocations, etc. (see AMC 19.52 Underground Utilities).
O. Explanation of any land to be dedicated to the City.

CONDITIONAL USE PERMIT CRITERIA

GENERAL INFORMATION
The following section is intended to help you provide information about your project's compliance with the CUP criteria. Please fill in each space with responses that demonstrate how your proposal complies with all each criteria found in AMC 19.36.040.
P. How will the proposed conditional use comply with any specific requirements for the use found elsewhere in Title 19 Development Regulations?
Q. Describe how access to the site is appropriate considering the anticipated volume of traffic resulting from the use.
R. Describe how off-street parking and loading facilities are adequate in terms of location, amount, and design to service the use.
S. Describe the location and intensity of outdoor lighting and how casting of light on adjacent, adjoining, or neighboring properties will be avoided.
T. Describe the hours and manner of operation of the proposed use, including anticipated noise generation, and how these will not be inconsistent with adjacent or nearby uses.

U. Describe existing or proposed public facilities that will serve the use and whether they are adequate to serve the proposed use.

V. Describe the physical conditions of the site, including size, shape, topography, and drainage and their suitability for the proposed development.

W. Describe any other factors deemed relevant to the decision-maker.



NOTICE OF APPLICATION

including written comment period & Public Hearing

SCAN HERE TO VIEW
Application Materials:



File Number: CUP-2023-0001
Owner/Applicant: Gregory Smith & Denise Hermans-Smith
1303 5th Street – (206) 390-9604
Date of Application: March 15, 2023
Date of Completeness: April 5, 2023
Date of Notice: April 12, 2023
Project Location: 1303 5th Street, Anacortes, WA 98221

NOTICE IS HEREBY GIVEN THAT AN APPLICATION WAS MADE FOR THE FOLLOWING PROPOSAL:

The property owners and residents of 1303 5th Street have applied for a Conditional Use Permit to operate a Bed and Breakfast from their residence. The Applicant is proposing the use of one (1) existing bedroom in the residence for the bed and breakfast use. The Applicant will remain residing on premises and will operate the bed and breakfast per Anacortes Municipal Code (AMC) standards which can be found online at [anacortes.municipal.codes/AMC/19.44.050\(B\)](http://anacortes.municipal.codes/AMC/19.44.050(B)).

Required Project Permits/Approvals: The following may be required in addition to the above: City of Anacortes Business License, Fire Department inspection.

SEPA Review: The proposal is exempt from SEPA review.

Public Comment Period: The joint Notice of Application and Public Hearing was published on April 12th, 2023. Written comments must be submitted to the contact person listed below by **5:00pm on May 2, 2023**, verbal testimony will be accepted at the pre-decision open-record public hearing.

Public Hearings

- Planning Commission Pre-Decision Open-Record Public Hearing – 904 6th Street, Council Chambers – Wednesday, May 10, 2023, at 6:00 PM
- City Council Closed-Record Decision Hearing – 904 6th Street, Council Chambers – Monday, May 22, 2023, at 6:00 PM

Virtual meeting participation instructions and connection information can be at anacorteswa.gov/700. Hearings will be conducted in accordance with the rules of procedure adopted by the hearing body.

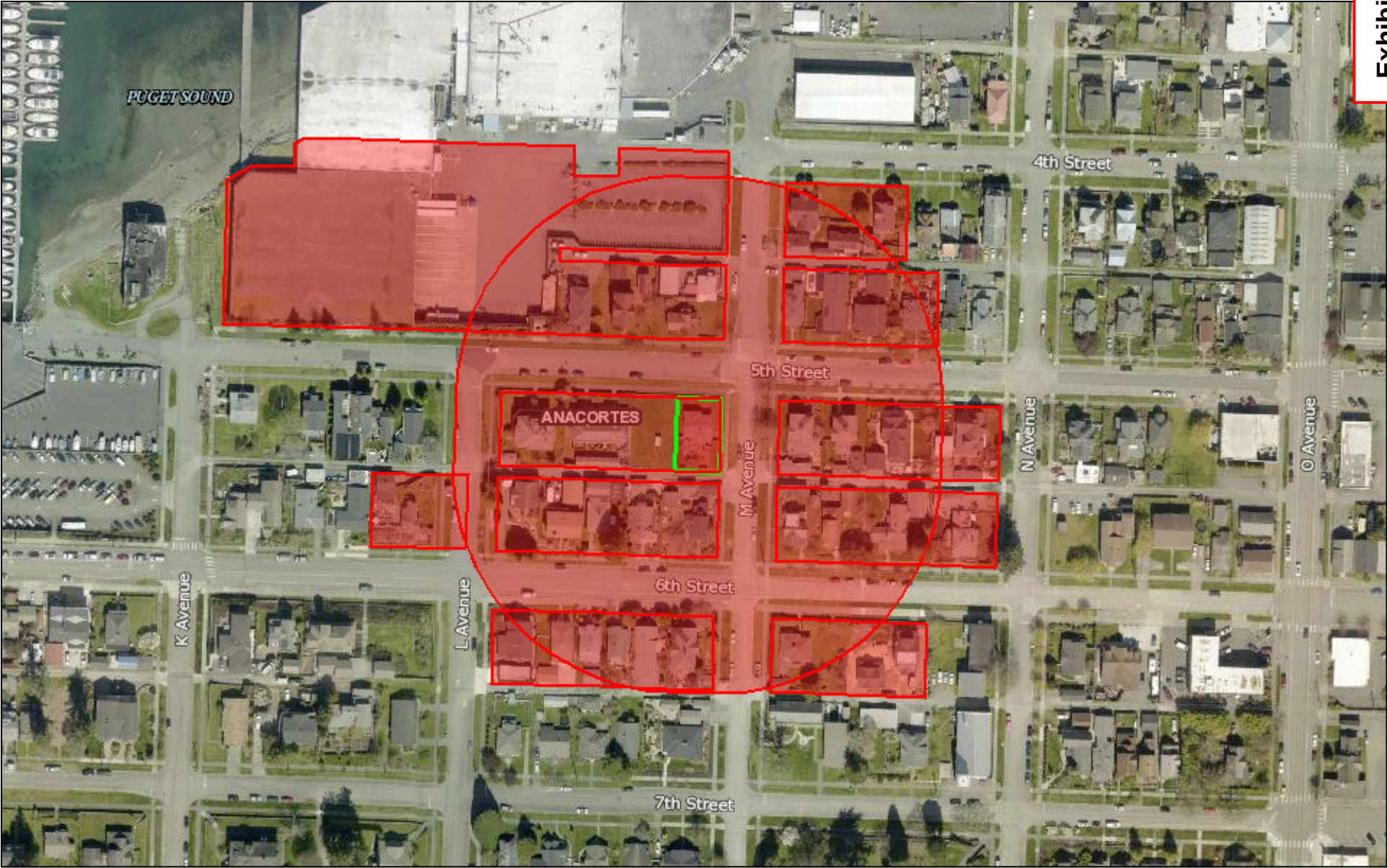
Members of the public who require special assistance to participate in or access the public hearing may contact the City Clerk 24 hours before the meeting to make special arrangements. Dial 360-299-1960.

ANY PERSON HAS THE RIGHT TO RECEIVE NOTICE, PARTICIPATE IN ANY HEARINGS, REQUEST A COPY OF THE FINAL DECISION AND APPEAL THE DECISION AS PROVIDED BY LAW.

Document Availability: Application documents may be reviewed at anacorteswa.gov/161 by clicking “View Current Projects” and selecting the project file number. The staff report will be available at 2pm the Thursday before the pre-decision open-record public hearing and again at 2pm the Wednesday before the closed-record decision hearing at anacorteswa.gov/700.

City Contact: Grace Pollard, Senior Planner; (360) 588-8231, gracep@cityofanacortes.org; City of Anacortes Department of Planning, Community, & Economic Development, P.O. Box 547, Anacortes, WA 98221. Written comments must be substantive and include the name and address of the commentor.

Appeal: Per AMC Table 19.20.030-1, a local administrative appeal is not available for this decision. Appeals of City Council decisions on land use applications must be made within twenty-one days from the date of the decision to Superior Court pursuant to the procedures and timeliness of RCW 36.70C.



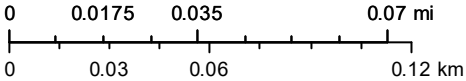
April 5, 2023

Legend

-  County Boundary
- City Names
- Road Labels

- Hydro Labels
- Regional Labels

1:2,257



Data Accuracy Warning: All GIS data was created from available public records and existing map sources. Map features have been adjusted to achieve a best-fit registration. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. Map discrepancies can be as great as 300 feet.

PNumber	Owner	Narr	OwnerAdd:	OwnerAdd:	OwnerAdd:	OwnerCity	OwnerStat:	OwnerZip	SitusStNo	SitusStNam	SitusCSZ
P122022	BERKLEY L	1250 FENSKE LN				BURLINGT	WA	98233			
P55379	HOPE DEANNA	1211 4TH ST				ANACORTE	WA	98221	1211	4TH ST	ANACORTE WA 98221
P55380	JOHNSON A	1201 4TH ST				ANACORTE	WA	98221	407	M AVE	ANACORTE WA 98221
P55381	JOHNSON A	1201 4TH ST				ANACORTE	WA	98221	1213	4TH STREE	ANACORTE WA 98221
P55382	WAGONER WAGONER ALANA NIC	2332 MUSC				HANFORD	CA	93230	1220	FIFTH STRE	ANACORTE WA 98221
P55383	FRY FORRE	FRY AMBEF 1216 5TH ST				ANACORTE	WA	98221	1216	5TH ST	ANACORTE WA 98221
P55385	SHIMEK RE SHIMEK DE SHIMEK RC	1214 5TH S				ANACORTE	WA	98221	1214	5TH ST	ANACORTE WA 98221
P55386	PETERSON HADESTY KARA J	1208 5TH S				ANACORTE	WA	98221	1208	5TH ST	ANACORTE WA 98221
P55389	BARRETT P STALEY MARY E	1201 5TH S				ANACORTE	WA	98221	1201	5TH ST	ANACORTE WA 98221
P55390	MAST MIC	MAST LISE 1211 5TH ST				ANACORTE	WA	98221	1211	5TH ST	ANACORTE WA 98221
P55391	MORRISON RICHARD A	1215 5TH ST				ANACORTE	WA	98221	1215	5TH ST	ANACORTE WA 98221
P55392	YARNALL D	1219 5TH ST				ANACORTE	WA	98221	1219	5TH ST	ANACORTE WA 98221
P55393	REVELLE DAVID M	PO BOX 932				ANACORTE	WA	98221	1220	6TH ST	ANACORTE WA 98221
P55394	LENZ GARTH	PO BOX 1528				PALMER	AK	99645	1216	6TH ST	ANACORTE WA 98221
P55395	WARD JOHN MICHAEL & WARD K	1210 6TH S				ANACORTE	WA	98221	1210	6TH ST	ANACORTE WA 98221
P55396	KUHNLEIN URS & KUHI	1204 6TH ST				ANACORTE	WA	98221	1204	6TH ST	ANACORTE WA 98221
P55398	HUBER MIC	HUBER JODIE A 1207 6TH S				ANACORTE	WA	98221			
P55399	OREB REVC	OREB PETER DENNY TF 2515 PUGE				ANACORTE	WA	98221	1219	6TH ST	ANACORTE WA 98221
P55400	OREB REVC	OREB PETER DENNY TF 2515 PUGE				ANACORTE	WA	98221	1219	6TH ST	ANACORTE WA 98221
P55636	TOMAS ST	1301 6TH STREET				ANACORTE	WA	98221	1301	6TH ST	ANACORTE WA 98221
P55637	HARVEY RY	HARVEY JEI 1307 6TH ST				ANACORTE	WA	98221	1307	6TH ST	ANACORTE WA 98221
P55638	ESTVOLD NICHOLAS	2364 FAIRV				SEATTLE	WA	98102	1309	6TH ST	ANACORTE WA 98221
P55639	OLPIN BRIA	1929 43RD AVE E APT 200				SEATTLE	WA	98112	1311	6TH ST	ANACORTE WA 98221
P55644	DEATLEY KAROLYNE A	1313 6TH ST				ANACORTE	WA	98221	1313	6TH ST	ANACORTE WA 98221
P55645	DICKINSON DICKINSON KATHLEEN	1319 6TH S				ANACORTE	WA	98221	1319	6TH ST	ANACORTE WA 98221
P55653	SMITH GRE HERMANS SMITH DENI	1303 5TH S				ANACORTE	WA	98221	1303	5TH ST	ANACORTE WA 98221
P55654	HOUGHTOI	HOUGHTOI 7538 GUEMES ISLAND				ANACORTE	WA	98221	1309	5TH ST	ANACORTE WA 98221
P55655	KROHN FR	6515 16TH AVE SW				SEATTLE	WA	98106	1317	5TH ST	ANACORTE WA 98221
P55656	STARK HOUSE BENJAMIN A	2626 GRAN				BELLINGHA	WA	98225	1320	6TH ST	ANACORTE WA 98221
P55657	ETHRIDGE I	HANNUM KIRA SIDONI 1314 6TH S				ANACORTE	WA	98221	1314	6TH ST	ANACORTE WA 98221
P55658	MITCHELL C	MITCHELL LINDA M 6162 UNRE				FERNDAL	WA	98248	1312	6TH ST	ANACORTE WA 98221
P55659	DIAMOND COLBY GERALD	654 SYCAM				FALLON	NV	89406	1308	6TH ST	ANACORTE WA 98221
P55660	PATTEE PATRICIA A	1302 6TH S				ANACORTE	WA	98221	1302	6TH ST	ANACORTE WA 98221
P55661	TRIDENT SE	5303 SHILSHOLE AVE NW				SEATTLE	WA	98107			
P55662	TRIDENT SE	5303 SHILSHOLE AVE NW				SEATTLE	WA	98107			
P55663	TRIDENT SE	5303 SHILSHOLE AVE NW				SEATTLE	WA	98107			
P55664	TRIDENT SE	5303 SHILSHOLE AVE NW				SEATTLE	WA	98107	1318	5TH ST	ANACORTE WA 98221
P55665	LAWLER LINDA G	1314 5TH ST				ANACORTE	WA	98221	1314	5TH ST	ANACORTE WA 98221
P55666	DAVIS REV	DAVIS JILL I 1310 5TH ST				ANACORTE	WA	98221	1310	5TH ST	ANACORTE WA 98221
P55667	HARDY KAF	920 G AVE				ANACORTE	WA	98221	1304	5TH ST	ANACORTE WA 98221
P55679	TRIDENT SE	5303 SHILSHOLE AVE NW				SEATTLE	WA	98107	1400	4TH STREE	ANACORTE WA 98221
P55690	JONES RIC	1113 15TH ST				ANACORTE	WA	98221	1404	6TH ST	ANACORTE WA 98221

ADVERTISING PROOF



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1215 Anderson Rd,
Mount Vernon, WA 98274
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BILLING DATE:	ACCOUNT NO:
04/07/23	45993



CITY OF ANACORTES
PO BOX 547
ANACORTES, WA 98221

NOTICE OF APPLICATION including written comment period & Public Hearing

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
357649	NOTICE OF APPLICATION	04/12/23	04/12/23	2	\$178.64

File Number: CUP-2023-0001

Owner/Applicant: Gregory Smith & Denise Hermans-Smith
1303 5th Street - (206) 390-9604

Date of Application: March 15, 2023

Date of Completeness: April 5, 2023

Date of Notice: April 12, 2023

Project Location: 1303 5th Street, Anacortes, WA 98221

NOTICE IS HEREBY GIVEN THAT AN APPLICATION WAS MADE FOR THE FOLLOWING PROPOSAL:

The property owners and residents of 1303 5th Street have applied for a Conditional Use Permit to operate a Bed and Breakfast from their residence. The Applicant is proposing the use of one (1) existing bedroom in the residence for the bed and breakfast use. The Applicant will remain residing on premises and will operate the bed and breakfast per Anacortes Municipal Code (AMC) standards which can be found online at [anacortes.municipal.codes/AMC/19.44.050\(B\)](https://anacortes.municipal.codes/AMC/19.44.050(B)).

Required Project Permits/Approvals: The following may be required in addition to the above: City of Anacortes Business License, Fire Department inspection.

SEPA Review: The proposal is exempt from SEPA review.

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount: \$0.00
Surcharge: \$0.00
Credits: \$0.00

Gross: \$178.64
Paid Amount: \$0.00

Amount Due: \$178.64

We Appreciate Your Business!

AD# 357649

Exhibit # 7
Page 42 of 50

Public Comment Period:

The joint Notice of Application and Public Hearing was published on April 12th, 2023. Written comments must be submitted to the contact person listed below by **5:00pm on May 2, 2023**. Verbal testimony will be accepted at the pre-decision open-record public hearing.

Public Hearings

* Planning Commission Pre-Decision Open-Record Public Hearing – 904 6th Street, Council Chambers – Wednesday, May 10, 2023, at 6:00 PM

* City Council Closed-Record Decision Hearing – 904 6th Street, Council Chambers – Monday, May 22, 2023, at 6:00 PM

Virtual meeting participation instructions and connection information can be found at anacorteswa.gov/700. Hearings will be conducted in accordance with the rules of procedure adopted by the hearing body.

Members of the public who require special assistance to participate in or access the public hearing may contact the City Clerk 24 hours before the meeting to make special arrangements. Call 360-299-1960.

ANY PERSON HAS THE RIGHT TO RECEIVE NOTICE, PARTICIPATE IN ANY HEARINGS, REQUEST A COPY OF THE FINAL DECISION AND APPEAL THE DECISION AS PROVIDED BY LAW.

Document Availability:

Application documents may be reviewed at anacorteswa.gov/161 by clicking “View Current Projects” and selecting the project file number. The staff report will be available at 2pm the Thursday before the pre-decision open-record public hearing and again at 2pm the Wednesday before the closed-record decision hearing at anacorteswa.gov/700.

City Contact: Grace Pollard, Senior Planner; (360) 588-8231, gracep@city-of-anacortes.org; City of Anacortes Department of Planning, Community, & Economic Development,
P.O. Box 547, Anacortes,

P.O. Box 547, Anacortes, WA 98221. Written comments must be substantive and include the name and address of the commentator.

Appeal: Per AMC Table 19.20.030-1, a local administrative appeal is not available for this decision. Appeals of City Council decisions on land use applications must be made within twenty-one days from the date of the decision to Superior Court pursuant to the procedures and timeliness of RCW 36.70C.

**Published
April 12, 2023
AA-357649**



ANACORTES PLANNING COMMISSION

Findings of Fact, Conclusions of Law, and Recommendation

File Number	CUP-2023-0001
Project Name	5th Street Retreat Bed & Breakfast
Proposal Description	The property owners and residents of 1303 5 th Street have applied for a Conditional Use Permit to operate a Bed and Breakfast from their residence. The Applicant is proposing the use of one (1) existing bedroom in the residence for the bed and breakfast use. The Applicant will remain residing on premises and will operate the bed and breakfast per Anacortes Municipal Code (AMC) standards 19.44.050(B) . No major changes to the residence or site are proposed.
Documents Available At	CUP-2023-0001 - Laserfiche WebLink (cityofanacortes.org)
Public Hearing	Anacortes Planning Commission
Public Hearing Date	May 10, 2023
PC Deliberations	May 10, 2023
Decision Body	Anacortes City Council
Closed Record Hearing Date	May 22, 2023
Exhibits	Exhibit 1: Staff Report Exhibit 2: Site Plan Exhibit 3: AMC 19.44.050 Overnight Lodging Exhibit 4: AMC 19.36 Conditional Uses Exhibit 5: Master Land Use Application Exhibit 6: Conditional Use Permit Checklist Exhibit 7: Notice of Application and Public Hearing

After considering the written and spoken comments and considering the record before it, the Planning Commission enters the following findings of fact, conclusions of law, and recommendation:

Findings of Fact & Conclusions of Law

1. The Staff report dated May 3, 2023 (Exhibit 1) accurately describes the project proposal and its Findings of Fact and Conclusions of Law are hereby incorporated by reference as the Planning Commission's Findings of Fact and Conclusions of Law.
2. The following members of the public provided testimony during the public hearing:
3. The following additional exhibits were entered into the record at the public hearing:
4. The following additional Findings of Fact and/or Conclusions of Law are entered:

Recommendation

Based on the foregoing findings and conclusions of law, and review of the City's regulatory authority to implement the policies, standards, and regulations of the Anacortes Municipal Code, the Planning Commission hereby makes the following recommendation regarding the subject Conditional Use Permit and Site Plan Review applications:

- ☒ Approve with Conditions
☐ Approve
☐ Deny

Subject to staff's recommended conditions in the Staff Report dated January 4, 2023, and any additional Commissioner conditions of approval as listed below:

1. _____

PLANNING COMMISSION RECOMMENDATION				
Planning Commissioners	Approve	Deny	Absent	Abstain
Ward MacKenzie				
William McCombs				
Linda Martin				
Jeff Graf				
James Stoneman				
Frank Jeretzky				
TOTAL				

ANACORTES PLANNING COMMISSION
Anacortes, Washington

Ward MacKenzie
Planning Commission Chair

Date