



Anacortes City Council
Municipal Building Council Chambers
904 6th Street

April 29 2019

Special Start Time
5:00 p.m.

PRELIMINARY AGENDA

[Packet Materials](#) / [Watch Meeting](#)

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Executive Session (15 Minutes)**
 - a. Potential Litigation or Litigation per RCW 42.30.110 (i)
4. **Announcements and Committee Reports**
 - a. Finance Committee
5. **Public Comment**
6. **Consent Agenda (Action)**
 - a. Minutes of April 22, 2019
 - b. Approval of Claims in the amount of: \$369,740.36
 - c. Contract Award: Street Sweeper Purchase 19-080-ERR-001
7. **Public Hearings**
8. **Other Business**
 - a. Planning Commission Recommendation: Development Regulations and Zoning Map Amendments - Division 4 (Discussion)
9. **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 the City Clerk at 360-299-1960 in advance of the meeting.

Our mission is to maintain and improve the quality of life reflecting community expectations through a focus on public participation and employees-mayor-council teamwork.



Anacortes City Council
NOTICE OF SPECIAL MEETING

Monday, April 29, 2019
5:00 p.m.

Municipal Building Council Chambers
904 6th Street

NOTICE IS HEREBY GIVEN that the Anacortes City Council will hold a special meeting on Monday, April 29, 2019 at 5:00 p.m.

Published: April 24, 2019

**Distribution: City Council
Media**

If reasonable accommodation of a disability is needed please contact Cherri Kahns at 299-1950 at least 48 hours prior to this meeting.



Anacortes City Council

Proposed Agenda Items for the Next Eight Weeks Beginning May 6, 2019

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 and vouchers are 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.

May 6, 2019

Special Meeting: Special Start Time: 5:00 p.m.

- Ordinance 3043: No Parking Beechwood Lane (Consent)
- 2019 CDBG Action Plan Review and Approval (Discussion/Possible Action)
- Planning Commission Recommendation: Development Regulations and Zoning Map Amendments - Division 6 (Discussion)
- Executive Session (xxx Minutes) : Potential real estate transaction per RCW 42.30.110 (b)

May 13, 2019

Special Meeting: Special Start Time: 5:00 p.m.

- Contract Award: Fire Station 3 Upgrades #18-156-FIR-003 (Consent)
- Contract Award: Library RFID Equipment #19-075-LIB-001 (Consent)
- Closed Record Decision Hearing: Randy Click & Donna Jung Conditional Use Permit CUP-2018-0003 to permit conversion of 3 short term rentals to single-family residences along with allowing construction of a single-family residence on the vacant lot (Discussion/Possible Action)
- Finance Update (Discussion)
- Ordinance 3042: Amending the 2019/2020 Biennial Budget (Discussion/Possible Action)
- Planning Commission Recommendation: Development Regulations and Zoning Map Amendments - Division 5 (Discussion)

May 20, 2019

Special Meeting: Special Start Time: 5:00 p.m.

- Resolution 2042: Lodging Tax Application - Heart of Anacortes 2019 Music Event (Consent)
- Planning Commission Recommendation: Development Regulations and Zoning Map Amendments (Discussion/Potential Action)

May 28, 2019

June 3, 2019

June 10, 2019

- Closed Record Decision Hearing, Swinomish Indian Tribal Community Conditional Use Permit & SEPA environmental review to permit an addition/ expansion to an existing and permitted opioid treatment facility/clinic located on the subject property. The expansion includes adding an approximate 21,019 square foot 3-story addition to the north side of the existing treatment facility, an approximate 260 square foot one-story open air bus shelter, and a new approximate 50-space parking area

June 17, 2019

June 24, 2019

Upcoming City Council Committee Meetings

The public is welcome to attend City Council Committee Meetings.

- Public Works - CANCELLED, Monday, May 6, 2019, , Main Conference Room, City Hall
- Port/City Liaison, Tuesday, May 7, 2019, 8:30 AM, Port of Anacortes
- Finance, Wednesday, May 8, 2019, 5:00 PM, Main Conference Room, City Hall
- Skagit County Law & Justice Council, Wednesday, May 8, 2019, 8:15 AM, Mount Vernon
- Planning - CANCELLED, Monday, May 13, 2019, 12:00 AM, Main Conference Room, City Hall
- Parks & Recreation, Thursday, May 16, 2019, 6:00 PM, Main Conference Room, City Hall
- Public Works, Monday, May 20, 2019, 5:00 PM, Main Conference Room, City Hall
- Finance, Wednesday, May 22, 2019, 5:00 PM, Main Conference Room, City Hall

Our mission is to maintain and improve the quality of life reflecting community expectations through a focus on public participation and employees-mayor-council teamwork.



Anacortes City Council

**Municipal Building Council Chambers
904 Sixth Street**

**April 29, 2019
5:00 p.m.**

PUBLIC COMMENT SIGN IN SHEET

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. These rules are intended to promote an orderly system of holding a public hearing or meeting, to give every person who wishes to speak an opportunity to be heard, and to ensure that no individual is embarrassed by exercising his or her right to free speech.

Please print your name legibly so we can recognize you correctly in the minutes. Thank you!

Name	Topic
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City Council Minutes – April 22, 2019

Mayor Laurie Gere called to order the regular Anacortes City Council meeting of April 22, 2019 at the advertised special time of 5:00 p.m. Councilmembers Eric Johnson, Ryan Walters, Brad Adams, Carolyn Moulton and Matt Miller were present. Councilmember Anthony Young participated in the meeting by telephone. Councilmember Bruce McDougall was absent. The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Proclamation of Bill Mitchell Day: Mayor Gere read a statement proclaiming May 3, 2019 to be Bill Mitchell Day in Anacortes, marking the 35th anniversary of the Anacortes Mural Project, the day in 1984 that Bill Mitchell's first mural was installed. The mayor presented the signed proclamation to Mr. Mitchell's family members who were present.

City Council Committee Appointments: Mayor Pro-Tem Matt Miller announced that he had updated the committee assignments following the resignation of Senator Liz Lovelett and the appointment of Ms. Moulton. The revised assignments were included in the packet materials for the meeting. Mr. Adams moved, seconded by Mr. Johnson, to approve the committee assignments as presented. The motion carried unanimously by voice vote.

Public Comment

No one present wished to address the Council on any topic not already on the agenda.

Consent Agenda

Mr. Johnson removed Item 5e, Contract Award: Street Sweeper Purchase 19-080-ERR-001, from the Consent Agenda. Mr. Adams removed Item 5d, Resolution 2040: Fidalgo Bay Road Repair Emergency Declaration & Contract Award, from the Consent Agenda.

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

- a. Minutes of April 15, 2019
- b. Approval of Claims in the amount of: \$271,709.14
- c. Street Fair Applications: Anacortes Waterfront Festival & Shipwreck Day

The following vouchers/checks were approved for payment:

EFT numbers: 92963 through 92993, total \$82,632.79

Check numbers: 92962 and 92994 through 93022, total \$31,316.07

Wire transfer numbers: 248472 through 248484, total \$571.03

- d. Resolution 2040: Fidalgo Bay Road Repair Emergency Declaration & Contract Award

Mr. Adams requested more information on this project, given its size, emergency status and fact that it would require a budget amendment. City Engineer Eric Shjarback summarized the history of ground movement along a section of Fidalgo Bay Road, including four to five inches of shift during the week of March 18, 2019. He advised that the rapid rate of shifting and damage presented an imminent potential for total failure of the road and underlying sewer force main, which could result in a health risk, bodily injury, and/or property damage if immediate action was not taken. Mr. Shjarback said staff engaged C. Johnson to perform emergency repairs that and the entire 150-foot long section was stabilized in two weeks. Mr. Shjarback indicated that staff would like to discuss the future of that road to help determine the best course of action in the future.

e. Contract Award: Street Sweeper Purchase 19-080-ERR-001

Mr. Johnson asked if the sweeper was included in the Capital Facilities Plan, given its relatively high cost. He requested a breakout of the specific line items in the equipment replacement amount in the CFP, particularly the large ticket items. Staff present at the meeting were not able to answer the question. Ms. Swetnam suggested that staff would bring back additional information the following week. Mr. Adams asked that the agenda bill for such items indicate which budget line item(s) were involved and whether the purchase was included in any planning documents. Mayor Gere concluded that Public Works staff would bring the item back before Council with additional information.

Mr. Adams moved, seconded by Mr. Johnson, to approve Consent Agenda Item 5d, Resolution 2040: Fidalgo Bay Road Repair Emergency Declaration & Contract Award. The motion carried unanimously by voice vote.

OTHER BUSINESS

Parks & Recreation Comprehensive Plan Amendment
Anacortes Community Forestlands Comprehensive Plan Amendment

Parks and Recreation Director Jonn Lunsford introduced the two draft plans to City Council for discussion only at this meeting.

Mr. Lunsford reported that the draft Parks and Recreation Comprehensive Plan was approved by the Parks and Recreation Advisory Commission (PRAC) in December 2018 following three public meetings held in the winter and spring of 2018 to take public comments. He noted a number of audience members present who wished to address the topic of the skate park. Mr. Walters asked what had been revised in the current draft. Mr. Lunsford explained the need to update the Parks Comp Plan to be eligible for RCO grant funding, and to keep the plan consistent with community priorities. He said the changes from the prior plan were minimal and included possible levy funding for future park improvements, improving amenities at existing parks including Washington Park, the community youth center, and continued robust recreation program offerings. Mr. Johnson asked if the Senior Activity Center might be addressed in the Parks Comp Plan as other cities do in order to expand funding options for that facility. Mr. Lunsford agreed that the Parks Comp Plan could be amended to include the ASAC. Ms. Moulton recommended investigating the Parks Impact Fee schedule which had not changed since 1998. Mr. Lunsford said that could certainly be addressed in the future.

Mayor Gere asked how many audience members wished to comment and asked speakers to limit their comments to three minutes. Mr. Walters observed that a formal public hearing on the draft plans would follow later in the year. Mr. Lunsford confirmed that staff would revise the draft plans based on councilmember input, then present those plans for public hearing. Mr. Miller asked if non-substantive editorial changes could simply be emailed to Mr. Lunsford, who agreed. Mr. Miller requested that the Parks Comp Plan include projected future needs of the cemetery. Mr. Lunsford agreed. Mr. Johnson asked that Chapter 2, Park Facilities under Other Ownership, include Tugboat Park and the old swimming pool ball field in Skyline. Ms. Moulton suggested expanding the Guemes Channel Trail section to include exploration of different trail widths and surfaces, opportunities to protect wetlands from potential development upland, and so on.

Mayor Gere invited members of the audience to comment on this agenda item.

Rachel Muntean, 2013 J Avenue, said she recently opened a skate shop downtown and had since learned a lot about the skateboard community in Anacortes. She described Grindline parks in other communities, including one on Orcas Island which draws many visitors. Ms. Muntean suggested that a Grindline skatepark in Anacortes would draw visitors, increase tax revenue and would better serve local youth with alternative physical activity.

Nate Brown, from Stanwood, supported a new Grindline skatepark in Anacortes to allow the freedom and creativity that skateboarding brings. Mr. Brown said a safer skatepark to serve skaters of all skill levels and ages would improve Anacortes.

Zack Wentzell, 2201 Minnesota Avenue, said that since Ms. Muntean had opened her shop many new folks had started skating in Anacortes, that the skate community in Anacortes is growing, and that the proposed Grindline park would be a great addition to the city in general, not just for its youth.

Parker Bates, 819 27th Street, agreed with Mr. Wentzell that more kids were taking up skating. He said the current park was dangerous and outdated and needed improving, not necessarily redesigning but updating and repaving. He described the challenge of the bowl for inexperienced users.

Kevin Foss, 2219 28th Street, recalled the building of the current skatepark. He pointed out that skateboarding would be an Olympic sport in 2020 and was a rapidly growing sport. Mr. Foss cited the huge need for alternative action sports and the facilities to serve them. He suggested that the current skatepark primarily served teenagers and that a Grindline park would serve a much wider age range, thereby decreasing negative uses and interactions.

Henry Rolph, 2318 20th Street, agreed with his friends who had just spoken that many people were getting into skating and just trying to learn. He said the current park didn't offer much to learn on and scared new users. He said a new skatepark would be an asset for the community and would get more people outside exploring.

Jason Harrison, 1907 Bradley Drive, said the city needed to do much more than update or repave the current skatepark. He said the design is bad, for example the drain at the bottom of the bowl which is dangerous.

Kyler Martindale, 1117 4th Street, said he had started skateboarding this year and fell and broke his wrist because the conditions weren't good for those just learning. He said that needed to be improved.

Parker Bates returned to the microphone to agree with Mr. Harrison's comments. He said just repaving the park would be nice but he agreed that the transitions are hard and that a lot of people fall on them. He said the park needed more than just repaving.

Mr. Johnson noted the packet materials indicating that over \$10K had already been raised for the skatepark improvement project and stored in a fund by the Anacortes Parks Foundation. Ms. Muntean said that nearly \$20K had been raised directly from the community, which would cover only the planning costs of the park, and that the group understood the need for community funding. Mayor Gere asked what a new park would cost. Mr. Lunsford reported that Ferndale had applied for an RCO grant for its new skatepark which had a total project budget of \$550K. He confirmed that including a skatepark project in the Parks Comp Plan would allow Anacortes to apply for similar grants. Mr. Walters observed that impact fees might also provide a funding option and supported evaluating and adjusting those fees.

No one else present wished to address the Council on this topic.

Mr. Adams asked how current planning efforts for the Guemes Channel Trail would be reflected in the Parks Comp Plan. Mr. Lunsford advised that additional information could be added to the Comp Plan, or included as an appendix to it.

Mr. Lunsford then turned to the draft ACFL Comprehensive Plan. He explained that the draft was prepared in 2014 to be part of the city's 2016 Comprehensive Plan update but that plan had changed course so the Parks and ACFL comp plans were not included when the 2016 Comprehensive Plan was adopted. Mr. Lunsford said the

2014 draft was still relevant and that the relatively minor changes between the 2009 and 2014 plans were listed on page 2 of the 2014 plan. Mr. Walters confirmed that the 2014 draft ACFL Comp Plan was being proposed as an amendment to the Anacortes Comprehensive Plan. Planning Director Don Measamer recalled that during the 2016 Comp Plan update process it had been determined to update the Parks and ACFL comp plans at a future date. Mr. Walters asked that the date of the plan be updated from 2014 to 2019. Mr. Miller asked if the Parks and ACFL comp plans would be included in or referenced in the Anacortes Comprehensive Plan. Mr. Lunsford indicated the latter. Ms. Moulton said the ACFL plan needed its references to the 2007 Comp Plan updated to refer to the 2016 Comp Plan. Mr. Walters questioned how the structure of the ACFL plan would fit with the 2016 Comp Plan and asked if there was a compelling reason not just to adopt it as a separate document. Mr. Lunsford agreed either course of action was possible. Councilmembers discussed with Mr. Measamer whether simply referencing the parks plans in the Anacortes Comprehensive Plan or incorporating them by reference was preferable, how those options would impact the annual Comp Plan amendment cycle, and how they would affect grant opportunities for the city. Mr. Lunsford characterized the different purposes of the Parks Comprehensive Plan and the ACFL Comprehensive Plan and said only the Parks Plan affected the city's ability to apply for grant funding. Mr. Walters noted that the Comprehensive Plan has a parks element so the Parks Comp Plan should be part of the Anacortes Comprehensive Plan but that the ACFL Comp Plan could be referenced instead. He suggested significant additional editing to the draft ACFL Comp Plan.

Mayor Gere invited members of the audience to comment on this agenda item.

Kevin Foss, 2219 28th Street, a member of Fidalgo Trail Riders, said the group formed 6 years prior to work with the Parks Department to create a bike skills park in Anacortes. Mr. Foss said the best location appeared to be the former city dump at the top of A Avenue. He said page 8 of the draft ACFL Comp Plan suggested a dog park at that location but he understood that was no longer being considered. Mr. Foss supported recreational use on that previously impacted site, specifically a bike park. He said a bike park serves all ages and provides an entry point for beginning off road riders. Mr. Foss noted the thriving mountain bike community in Anacortes, including school age kids learning to be conscientious trail users as well as healthy and active citizens.

Keegan Janicula, 1603 10th Street, a member of Fidalgo Trail Riders, suggested that building a bike park would reduce off-trail riding in the ACFL. Ms. Janicula described her visit to the Duthie Hill bike park, which she said was a great park serving people of all ages, even non-riders. She said she'd love to see families having a good time together at a bike park at the old dump site.

Lt. Paul Leitzen, 5805 Rosario Way, a member of Fidalgo Trail Riders, echoed Ms. Janicula's comments, noting that Duthie Hill is a great *park*, not just a great *bike* park, and that a similar park in Anacortes would be an asset for everyone, of all ages, not just riders or young people. Lt. Leitzen said such a park would serve both Anacortes residents and military families from Oak Harbor. He said Anacortes trails are producing world class cyclists and a bike park would support that growing culture.

Seth Kiser, a member of Fidalgo Trail Riders, recalled visiting the dump as a child when it was still in use. Mr. Kiser described Anacortes as "awesome," allowing year-round trail riding and hiking. He said putting a bike park on the old dump site would be a great use of the space, to build community and great times for families. He described the very popular bike park in Leavenworth and said Anacortes has an opportunity to do something that would serve families in the community the same way.

Matt Lujan, 14379 Rosario Road, said he grew up playing traditional stick and ball sports but now more and more kids are riding. He said mountain biking is multi-generational. Mr. Luhan echoed Ms. Janicula's comments about Duthie Hill, which allows kids who can barely ride and seniors and everyone in between to recreate together as families. Mr. Lujan said a bike park would be a great addition to the ACFL, which is a crown jewel of Anacortes. Mr. Lujan said he also coaches for the Anacortes mountain bike team which has over 50 high school and junior high school age kids participating.

Julie Gold, 3102 I Avenue, also an Anacortes mountain bike team coach, called attention to the widening gulf between people who are healthy and active and people who can't afford year round training on select teams. She said some gifted youth athletes cannot afford the time or money to participate in competitive sports. Ms. Gold contrasted this with mountain biking, in which anyone can participate on their own schedule. She said the bike park would allow youth spontaneous, unstructured play in a safe environment. Ms. Gold also commented that the team develops a culture of shared use and courtesy among youth.

Seth Kiser returned to the microphone to offer to leverage his contacts in the construction industry to help subsidize construction and maintenance costs with volunteer labor if the park was able to be built.

Josh Gates, 3808 W 4th Street, also an Anacortes mountain bike team coach, followed up on Ms. Gold's comments, noting that a bike skills park would provide a space to train both local youth and the community how to behave responsibly and practice good stewardship on shared used trails.

Paul Leitzen returned to the microphone to observe that a bike park encourages people to interact rather than talk on the phone, developing interpersonal skills that are suffering as more time is spent on phones and electronic devices.

Eric Adam, 1902 Copper Pond Place, asked for a show of hands from the audience indicating support of the bike park. Many people stood or raised their hands.

Mr. Johnson suggested that the ACFL plan add a list of funding streams similar to the Parks plan. He also suggested adding some expression of the general nature and rough cost estimate for a bike park.

Mr. Lunsford responded to councilmember questions about whether a more intensive use such as a bike park was precluded by conservation easements or counter to current management practices of the forestlands. Mr. Walters suggested that a bike skills park should be managed as part of the park system rather than the forestlands, and included in the Parks Comp Plan to open up more funding options. Mr. Lunsford said the ACFL Advisory Board would first discuss whether to include a bike skills park in either the ACFL or the Parks Comp Plan, then staff would bring back to Council a site plan, permits needed, wetland delineation and costs for consideration. Mr. Walters suggested that the Parks Board should perhaps consider this facility instead.

Ms. Moulton expressed concern that Duthie Hill attracts many users from a wide area and that such parks become destinations. She said she liked the local aspect of the proposed park and urged care in evaluating the potential consequences on infrastructure and management costs.

Mr. Adams reminded that discussion of the 2009 forest plan filled the Council Chambers for a debate on whether the forestlands are more properly a regional or a local system. He recalled that at that point the community was more interested in a local park because the city does not have the resources to support a regional park. Mr. Adams pointed out that the Heart Lake Master Plan also called for a higher use park within the forestlands and suggested that such uses may become more common.

Mr. Young echoed Ms. Moulton's sentiment and urged balancing good public use with the resources required to maintain public spaces at the high quality the community had become accustomed to.

Mr. Walters listed a number of edits and revisions required in the draft ACFL Comp Plan and said the plan was not ready for Council to consider for adoption. He asked staff to rewrite the plan prior to adoption. Mr. Johnson said that the plan included both policy and strategic planning. He suggested the latter could be pulled out into an annual document that could be updated more frequently without amending the comp plan.

Mayor Gere asked if Council wished staff to consider the bike park as part of the Parks Comp Plan but it appeared that Mr. Walters was the only councilmember who had requested that.

Mr. Miller asked about the schedule for further public comment and consideration of the plans. Mr. Lunsford advised that staff would bring the plans back before Council in June due to the predominance of the Development Regulations updates on the next several City Council agendas. Mr. Adams asked if exploration of the bike skills park would continue in the interim. Mr. Lunsford said the ACFL Advisory Board had asked staff to continue investigations so staff was currently exploring permits and obtaining a wetland delineation, then would develop a site plan recognizing established wetland buffers to enable a more informed public discussion in the future. Mr. Walters characterized that work as a feasibility phase.

Ms. Moulton noted the user group Rules and Regulations on page 30 of the draft ACFL plan and suggested incorporating explicit reference to the triangular user group yield signage currently in use in the forestlands. Mr. Lunsford agreed.

Mayor Gere asked if anyone else in the audience wished to comment.

Rob Nichols, 5677 Patricia Lane, rebutted councilmember concern about parks being loved to death, observing that the mountain bike team and Fidalgo Trial Riders had been very good about organizing volunteers to help maintain the trails as ridership increased. Mr. Nichols also said that mountain biking is not a cheap sport and observed that riders who visit from out of town contribute tax revenue through purchases while they are in Anacortes. He supported building the bike park.

Mr. Walters referred to a suggestion by Ms. Moulton that e-bikes should be addressed in the ACFL plan. Ms. Moulton said she had emailed councilmembers and Mr. Lunsford a link to documents about how and why Galbraith Mountain does not allow electronic bikes on the trails. She suggested making that link available to the public for further discussion.

Mayor Gere thanked everyone for their input and said Council would look forward to continuing the discussion in June.

Planning Commission Recommendation: Development Regulations and Zoning Map Amendments - Divisions 1, 2 and 3

Planning Director Don Measamer invited Council to begin review of Divisions 1 through 3 of the draft Development Regulations. He said staff would bring Division 4 forward the following week with additional information. Mr. Measamer advised that Division 7 included Critical Areas; he said staff was working with a consultant to update the Critical Areas Ordinance which would be pulled into the Development Regulations after it had been completed, reviewed by Planning Commission and City Council, and adopted. He said 2019 work on the Shoreline Master Program update would also be incorporated into the Development Regulations when complete. Mr. Measamer added that several items from Title 16 would also be added, such as the tree preservation ordinance.

Senior Planner Libby Grage then guided the discussion. Her slide presentation was added to the packet materials for the meeting. Ms. Grage outlined a schedule to review the entire updated draft regulations over the next five City Council meetings, all beginning at the special time of 5:00 p.m. Mr. Walters asked about a date for a potential public hearing on the regulations. Mr. Measamer suggested that a topic list could likely be agreed upon by April 29 and so a public hearing could potentially be noticed for May 20. Ms. Grage provided an overview of the organizational and structural changes to the development regulations to make them more user friendly compared to current Titles 16 and 17 of the AMC.

Ms. Grage then began a review of each of the Divisions, noting changes from the current code. In response to a question from Mr. Miller, she said that changes since the December 2018 third draft reviewed by the Planning Commission were highlighted in yellow. Mr. Miller asked staff to also alert Council to changes from prior drafts and from the current code.

Division 1, General and Legislative Provisions: Ms. Grage said that most of this division was adopted in 2016 by Ordinance 2992 and had been effective since January 2017. She said the only substantive changes proposed were to definitions and that the new definitions were highlighted in yellow. Mr. Johnson requested adding definitions for:

- strategic large sites
- downtown (or replace with CBD)
- boarding house
- vesting

Councilmembers discussed 19.16.050(A) with Ms. Grage and Mr. Measamer. Councilmembers emphasized that they wanted to see all petitions, whether or not recommended for docketing. Mr. Walters suggested appending to the end of that paragraph "... and a complete list of all the petitions." Mr. Measamer suggested adding instead "... along with a list of all petitions submitted." Councilmembers generally concurred. Ms. Grage agreed.

Division 2, Procedures: Ms. Grage advised that many of these section existed elsewhere in the current code and that most had been adopted by Ordinance 2992 in 2016. She said that most of the substantive updates were in Section 19.20.

Councilmembers reviewed Table 19.20.030 in detail. Mr. Johnson said that the first bullet under Type 3-PC referencing conditional uses needed to be deleted. Mr. Measamer explained that the bulleted item needed to remain in the code until the new Critical Areas Ordinance was adopted, then the development regulations could be amended to remove it. Mr. Johnson urged staff to clarify that distinction in the interim. Ms. Grage enumerated the new items in the table, and explained that procedures for wireless communication towers were included only in Title 19.68, not in 19.20. Mr. Walters asked that the 6th bullet under Type 2 Administrative Decisions be rewritten to avoid "and/or". Mr. Johnson and Ms. Moulton said that "vesting" needed to be defined as 19.020.070(A) is circular.

Councilmembers discussed 19.20.220, Departures, with Mr. Measamer. Mr. Measamer said that staff would bring back a table of the departures and the code section each relates to at the next meeting. Councilmembers asked that the code be revised to explicitly state that staff will not only document departures but report back on their use at specific intervals. Ms. Grage agreed.

Councilmembers discussed 19.20.030, Framework development plans, with Ms. Grage. Ms. Grage advised that staff would bring back more information to clarify that such plans are voluntary with no defined size threshold. Mr. Johnson noted related section 19.61.180 and reiterated that "strategic large sites" requires definition. Ms. Moulton noted that in Table 19.28.020, Framework development plans had no expiration. She contrasted this with a previous draft which had a five year initial term and a one year extension. Ms. Moulton questioned the lack of a term limit. Ms. Grage explained that there would likely be multiple buildings or uses involved with such plans, each with different trigger dates. She said the table allowed Council to set a term limit on a case by case basis where appropriate. Councilmembers discussed this at some length and generally favored including a quantified, long initial term, such as 20 years. Mr. Measamer suggested adding language in the review criteria to require City Council to develop an appropriate expiration date for each FDP. Mr. Walters asked staff to clarify in 19.20.230(a) that FDP can adjust permitted uses *only* in the new MMU zone.

Division 3, Permits: Ms. Grage explained that 19.30 is entirely new, 19.32 and 19.34 pull from existing Title 16, and that 19.36 and 19.38 are essentially unchanged from the current code. Mr. Walters praised the revisions to 19.34, Boundary line adjustments. Councilmembers discussed new section 19.30, Site plan review, with Ms. Grage. Staff confirmed that an applicant could apply for a site plan review before applying for a building permit but that approval of a site plan did not vest that site plan. Mr. Walters asked that that be emphasized in the language. Mr. Measamer alerted Council that staff would later be proposing a fee structure for some of the pre-application processes such as site plan review due to the amount of staff time involved. Mr. Walters agreed that fees were appropriate but said the applicant should receive an approval document for that fee, even though that does not vest. Mr. Measamer said staff would look into that.

Ms. Moulton asked about 19.32.050(A)(2) and 19.32.050(B)(2) and asked if the language for those two paragraphs should be the same. Mr. Walters explained that the language was correct as presented due to the different rules for short and long subdivisions. Ms. Grage said she would look at the language to ensure each section was correct. Mr. Walters asked that assure/ensure be corrected.

Mr. Walters noted that the recording provisions in 19.32.050(E) don't use the same language as the other recording provision in that section. He asked that staff review and correct that.

Mr. Measamer thanked Council for its review. He advised that Bob Bengford from MAKERS would attend the April 29, 2019 City Council meeting to review Division 4 and address items Council had identified for further discussion at its April 15, 2019 meeting.

Mr. Walters asked about 19.32.060(C)(11) and how the maximum impervious surface was determined. Mr. Measamer referred to the stormwater manual. Mr. Walters suggested amending that line to read "...allowed for each lot *as determined by the calculations in the stormwater report for the subdivision.*" Mr. Measamer agreed.

There being no further business, at approximately 7:48 p.m. the Anacortes City Council meeting of April 22, 2019 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 April 29, 2019 City Council meeting:
[Download this file in OpenDocument spreadsheet format.](#)

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
248661	1/29/2019	2018 4th QTR	SKAGIT COUNTY DISTRICT COURT	2018 4TH QTR JUDICIAL SERVICES	\$ 15,595.00	court
248821	2/27/2019	WAANA112614	FASTENAL COMPANY	EXAM GLOVES	\$ 141.67	medic
248823	3/4/2019	WAANA112759	FASTENAL COMPANY	EXAM GLOVES	\$ 138.01	medic
248899	3/4/2019	83413	SKAGIT REGIONAL HEALTH	CO-PAY, LEOFF1 RETIREE	\$ 157.63	hr
248833	3/29/2019	88613	BLYTHE PLUMBING & HEATING, INC	HOT WATER HEATER REPAIR LIBRARY	\$ 669.25	pwfac
248623	3/29/2019	151309	INFOSEND, INC.	MARCH 2019 PROCESSING	\$ 3,494.68	finance
248830	3/31/2019	88775	BLYTHE PLUMBING & HEATING, INC	WWTP HVAC REPAIRS	\$ 1,845.47	pwfac
248831	3/31/2019	88735	BLYTHE PLUMBING & HEATING, INC	DOMESTIC CIRC PUMP REPAIR	\$ 1,358.58	pwfac
248832	3/31/2019	88868	BLYTHE PLUMBING & HEATING, INC	FIDALGO CENTER HVAC REPAIR/GAS SMELL	\$ 1,694.56	pwfac
248799	3/31/2019	0017050463	DEPARTMENT OF NATURAL	ACCRUED INTEREST ON LATE PAYMENT	\$ 97.37	finance
248905	3/31/2019	40849	GEO-TEST SERVICES, INC	2019 WATERLINE REPLACEMENT PROJECT - MATERIALS TESTING	\$ 621.60	pw1
248469	3/31/2019	0173	SKAGIT COUNTY SOLID WASTE FUND	MARCH TONNAGE HAULED	\$ 72,964.29	dshop
248678	4/1/2019	22798	CAP SANTE MARINE LTD	30TH STREET TRAVEL LIFT PIER FLOAT REPAIR	\$ 1,200.00	plan
248676	4/2/2019	98221	ANACORTES CHAMBER OF COMMERCE	ANACORTES CHAMBER OF COMMERCE- PROMOTIONAL MARKETING	\$ 3,750.00	plan
248911	4/4/2019	1633-29	MAKERS ARCHITECTURE	ZONING, DEV & DESIGN STDS - MARCH 2019	\$ 2,960.50	plan
248494	4/4/2019	24757	US CRANE & HOIST, INC.	REMOVAL OF WTP CHLORINE SYSTEM CRANES	\$ 17,669.22	dwtp
248795	4/8/2019	65556	CENTRAL WELDING SUPPLY CO, INC	O2 FOR AMBULANCE	\$ 131.01	medic
248633	4/8/2019	001-430248	PISTON SERVICE OF ANACORTES	WIPER BLADES- VEH #607	\$ 12.04	dshop
248586	4/8/2019	300000300008	PUGET SOUND ENERGY INC	PUMP STATIONS AND WWTP 3/7-4/4/19	\$ 19,349.82	dwwtp
248913	4/9/2019	1410-W01	BLYTHE PLUMBING & HEATING, INC	HVAC MAINTENANCE - LIBRARY JANUARY 2019	\$ 1,919.35	pw1
248225	4/9/2019	190-1840-00	CITY OF ANACORTES	UTILITY BILLING	\$ 4,425.36	dwwtp
248625	4/9/2019	11415990	HACH COMPANY	BUFFER POWDER, DPD FREE REAGENT SWIFTEST DISPENSER	\$ 733.91	dwtp
248487	4/10/2019	195257-2	BIRCH EQUIPMENT CO., INC	FILTER REPAIR - AIR COMPRESSOR RENTAL	\$ 1,293.52	dwtp
248670	4/10/2019	S3695884.001	BUILDERS' HARDWARE & SUPPLY	FACILITY SUPPLIES	\$ 170.12	pwfac
248671	4/10/2019	S3694124.001	BUILDERS' HARDWARE & SUPPLY	LOCKS FOR WATER CREW	\$ 756.42	pwfac
248626	4/10/2019	11417730	HACH COMPANY	DPD FREE CHLORINE REAGENT VIAL	\$ 546.73	dwtp
248903	4/10/2019	5510-4	SEMAU ENGINEERING & SURVEYING	ON-CALL STORMWATER SITE REVIEWS - HIDDEN SHORES	\$ 2,127.00	plan
248828	4/11/2019	0188-500033	CONSOLIDATED ELECTRICAL	LED LIGHT TAPE FIXTURE FOR LIBRARY	\$ 1,926.09	pwfac

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
248817	4/11/2019	114320	FASTENAL COMPANY	C BATTERIES	\$ 2.58	medic
248501	4/11/2019	300000290027	PUGET SOUND ENERGY INC	WTP RESERVOIR & PUMP STATION 3/7-4/4/19	\$ 3,431.85	dwtp
248497	4/11/2019	P0002-23	QCC QUALITY CONTROLS CORP.	ON CALL PROFESSIONAL SERVICES AT WTP - 3/11/19-4/4/19	\$ 3,875.00	dwtp
248502	4/11/2019	KT568693	UNIVAR USA INC	SODIUM HYDROXIDE (CAUSTIC)	\$ 5,590.07	dwtp
248926	4/12/2019	April 12, 2019	ANACORTES FAMILY CENTER	CDBG PUBLIC SERVICES REIMBURSEMENT	\$ 6,509.86	plan
248498	4/12/2019	609865	BRANOM INSTRUMENT CO .INC	WTP SIEMENS MAGFLO METER VERIFICATIONS(2)	\$ 1,790.25	dwtp
248846	4/12/2019	S3697367.001	BUILDERS' HARDWARE & SUPPLY	KEY BLANKS	\$ 100.02	pwfac
248825	4/12/2019	978 800 0000 1	CASCADE NATURAL GAS CORP.	STA 3: 3/12 - 4/10	\$ 46.33	medic
248908	4/12/2019	0157490	GEOENGINEERS, INC.	ON-CALL ENVIRONMENTAL SERVICES CONSULTANT - RICE SHORT PLAT /CUP	\$ 1,745.50	plan
248791	4/12/2019	11422267	HACH COMPANY	TISAB REAGENT	\$ 103.21	dwtp
248843	4/12/2019	ReimbHoglund	HOGLUND, STEVEN	TRAVEL REIMB WPTA CONF IN CHELAN	\$ 153.20	finance
248621	4/12/2019	MV210688	MOTOR TRUCKS, INC	OIL FILTER- VEH #213	\$ 40.98	dshop
248664	4/12/2019	11421328	POWERPLAN	CUTTING EDGE- VEH #410	\$ 106.15	dshop
248679	4/12/2019	102003471	RICOH USA, INC	S/N C32029555 CITY HALL COPIER 3RD 4/1-4/30/19	\$ 377.30	finance
248627	4/12/2019	ReimbRollo	ROLLO, JAMES	REIMBURSEMENT - DOH WATERWORKS OPERATOR UPGRADE - CR	\$ 88.74	dwtp
248842	4/12/2019	ReimbSteffen	STEFFEN, PHILIP	TRAVEL REIMB WPTA CONF IN CHELAN	\$ 153.20	finance
248706	4/13/2019	83062	LAKESIDE INDUSTRIES, INC.	LIQUID ASPHALT- STREET DEPT	\$ 1,085.00	dshop
248677	4/15/2019	98221	ANACORTES CHAMBER OF COMMERCE	ANACORTES CHAMBER OF COMMERCE-VIC FUNDS	\$ 15,150.00	plan
248915	4/15/2019	025944 -61523	DISA GLOBAL SOLUTIONS INC	HEARING CHECKS VAN POOL ON 4/11, INCLUDES TRAINING	\$ 1,395.00	hr
248629	4/15/2019	19-12747	EDGE ANALYTICAL, INC	TCR ANALYSIS BOOSTERS	\$ 165.00	dwtp
248634	4/15/2019	905697	GUARDIAN SECURITY SYSTEMS INC	WTP FIRE ALARM SYSTEM REPAIR	\$ 469.28	dwtp
248794	4/15/2019	11424387	HACH COMPANY	PROCESS VIAL	\$ 97.37	dwtp
248620	4/15/2019	MV210809	MOTOR TRUCKS, INC	O-RINGS, GASKETS- #7913	\$ 324.17	dshop
248705	4/15/2019	1158795	SKAGIT PUBLISHING LLC	PUBLISH AA-1889144	\$ 96.72	finance
246840	4/16/2019	S91684247.001	CONSOLIDATED SUPPLY CO.	METER BOXES / LIDS, CHANGE QUEUE TO WATER	\$ 2,609.91	wdist
248635	4/16/2019	27278	DAHL ELECTRIC, INC	WORK ON SUMP PUMP, STREAMING CURRENT MONITOR	\$ 5,105.01	dwtp
248630	4/16/2019	19-12561	EDGE ANALYTICAL, INC	FLUORIDE ANALYSIS BLUE HERON	\$ 26.00	dwtp
248631	4/16/2019	19-12964	EDGE ANALYTICAL, INC	BACT ANALYSIS FINISHED	\$ 15.00	dwtp
248659	4/16/2019	1220367	FOSTER PEPPER PLLC	CLEAN WATER ACT CITIZEN SUIT MATTER #103	\$ 64,669.50	legal
248789	4/16/2019	012489108	GALLS, LLC.	UNIFORM ITEMS; NEW EMP MOWRER	\$ 25.64	apd

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248581	4/16/2019	1200186134	HDR ENGINEERING, INC	SANITARY SEWER STORAGE STUDY - 3/3/19-3/30/19	\$ 22,229.42	pw1
248785	4/16/2019	003FPD0419	MILLIMAN INC	FF PENSION FUND - GASB 67 & 68	\$ 3,300.00	finance
248624	4/16/2019	MV210907	MOTOR TRUCKS, INC	POWER STEERING PUMP- VEH #213	\$ 717.91	dshop
248585	4/16/2019	00092914	OWEN EQUIPMENT COMPANY	JET NOZZLE - WARTHOG MAGNUM	\$ 3,197.95	dwwtp
248896	4/16/2019	P1712-9	QCC QUALITY CONTROLS CORP.	TELEMETRY UPGRADES PHASE C - PROGRAMMING/START UP	\$ 4,475.00	pw1
248901	4/16/2019	P1712-8	QCC QUALITY CONTROLS CORP.	TELEMETRY UPGRADES PHASE C - HARDWARE	\$ 11,724.33	pw1
248666	4/16/2019	190416-1	SOUND WATER SERVICES, INC	PARTICLE COUNTER CALIBRATION SERVICE ONSITE	\$ 1,000.00	dwwtp
248898	4/16/2019	103048	SUMMIT LAW GROUP, PLLC	LEGAL SERVICES, 3/5/19	\$ 283.50	hr
248826	4/16/2019	1277235	SURETY PEST CONTROL	STA 2: APRIL SERVICE	\$ 44.57	medic
248589	4/16/2019	190530	T-SHIRTS BY DESIGN	VOLLEYBALL SHIRTS	\$ 978.30	pkrec
248622	4/17/2019	NASA01	BINDSCHADLER, ROBERT	NASA PROGRAM EXPENSE	\$ 100.00	publib
248632	4/17/2019	19-11788	EDGE ANALYTICAL, INC	BACT ANALYSIS RAW	\$ 49.00	dwwtp
248787	4/17/2019	012499897	GALLS, LLC.	UNIFORM ITEMS; NEW EMP MOWRER	\$ 10.80	apd
248824	4/17/2019	914653	LIFE ASSIST, INC	PELICAN CASE	\$ 37.22	medic
248680	4/17/2019	23408689	PARTS MASTER	PORTABLE WORK LIGHT- SHOP	\$ 116.73	dshop
248660	4/17/2019	001-431243	PISTON SERVICE OF ANACORTES	REPLACEMENT CABIN FILTER- VEH #030	\$ 16.36	dshop
248815	4/17/2019	1159081	SKAGIT PUBLISHING LLC	PUBLISH AA-1887652 AA-1889541	\$ 272.02	finance
248681	4/17/2019	P11073-09	SONSRAY MACHINERY, LLC	WINDOW LATCH- VEH #406	\$ 25.39	dshop
248669	4/17/2019	S20183468	SUPERIOR SYSTEMS, INC	TRAIN 1 MATURATION TANK MIXER SHAFT REPAIR	\$ 11,029.61	dwwtp
248628	4/17/2019	331 0457234	UNIFIRST CORPORATION	WTP LAUNDRY SERVICE	\$ 59.49	dwwtp
248704	4/17/2019	1796447	WASHINGTON TRACTOR, INC	AXLE HOUSING, SEALS- VEH #704	\$ 558.74	dshop
248703	4/17/2019	026P268947	WESTERN TRUCK CENTER	WINDOW REGULATOR- VEH #513	\$ 278.59	dshop
248675	4/18/2019	01_19APR18	ACME CREATIVE	PHOTO OF COUNCILWOMAN MOULTON FOR THE WALL	\$ 234.25	admin
248709	4/18/2019	1991204598	ARAMARK	OPS: MAT CLEANING 04/18/19	\$ 41.56	dshop
248788	4/18/2019	1991204589	ARAMARK	APD NYLON MATS CLEANED	\$ 16.28	apd
248797	4/18/2019	1991204597	ARAMARK	OPS & PARKS LAUNDRY SVC FOR	\$ 67.05	finance
248897	4/18/2019	101412	ASSOCIATION OF WASHINGTON	MAY, SUPPLEMENTAL LIFE INSURANCE	\$ 549.50	hr
248672	4/18/2019	255504C	BAY CITY SUPPLY	FACILITY SUPPLIES	\$ 1,218.11	pwfac
248829	4/18/2019	254551D	BAY CITY SUPPLY	FACILITY SUPPLIES	\$ 225.31	pwfac
248783	4/18/2019	4184394	CARDINAL HEALTH 110, INC.	PHARMACEUTICALS & ACCU-CHECK STRIPS	\$ 486.59	medic
248792	4/18/2019	4184401	CARDINAL HEALTH 110, INC.	10 INHALANTS (CRUSHABLE)	\$ 24.15	medic
248707	4/18/2019	04/18/2019	FIDALGO CLEANING	APD CLEANING 4/4-4/18/19	\$ 100.00	museum
248793	4/18/2019	2019023	HUTCH'S POLYGRAPH SERVICES	PRE-EMPLOYMENT POLYGRAPH; RITA	\$ 200.00	apd
248779	4/18/2019	001-431432	PISTON SERVICE OF ANACORTES	SPARK PLUG- #11936	\$ 4.02	dshop
248838	4/18/2019	001-431383	PISTON SERVICE OF ANACORTES	COOLANT FLUSH SOLUTION- #7913	\$ 83.58	dshop

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
248668	4/18/2019	114244	WALTON BEVERAGE COMPANY, INC	WTP BREAKROOM SUPPLIES	\$ 73.17	dwtpt
248708	4/18/2019	114242	WALTON BEVERAGE COMPANY, INC	OPS: BREAKROOM SUPPLIES	\$ 157.50	dshop
248782	4/18/2019	114239	WALTON BEVERAGE COMPANY, INC	AFD BREAKROOM SUPPLIES	\$ 87.50	medic
248796	4/18/2019	114241	WALTON BEVERAGE COMPANY, INC	CITY HALL BREAK ROOM SUPPLIES	\$ 140.00	finance
248925	4/18/2019	114240	WALTON BEVERAGE COMPANY, INC	WWTP BREAKROOM SUPPLIES	\$ 35.00	dwwtp
248816	4/19/2019	038 200 0000 2	CASCADE NATURAL GAS CORP.	APD 3/19-3/31/19	\$ 635.16	apd
248820	4/19/2019	440 400 0000 0	CASCADE NATURAL GAS CORP.	FIDALGO CENTER 3/19-4/18/19	\$ 307.26	finance
248822	4/19/2019	795 700 0000 4	CASCADE NATURAL GAS CORP.	CITY HALL 3/19-4/17/19	\$ 676.97	finance
248891	4/19/2019	710 300 0000 5	CASCADE NATURAL GAS CORP.	OPERATIONS 3/19-4/18/19	\$ 414.26	dshop
248906	4/19/2019	199 800 0000 4	CASCADE NATURAL GAS CORP.	R AVENUE 3/19-4/17/19	\$ 57.11	museum
248909	4/19/2019	912 800 0000 0	CASCADE NATURAL GAS CORP.	CARNEGIE 3/20-04/18/19	\$ 146.78	museum
248924	4/19/2019	989 800 0000 8	CASCADE NATURAL GAS CORP.	WWTP 3/19-4/17/19	\$ 67.09	dwwtp
248784	4/19/2019	635807	HASA, INC	SODIUM HYPOCHLORITE	\$ 4,614.03	dwtpt
248780	4/19/2019	MV211172	MOTOR TRUCKS, INC	WATER PUMP #7-913	\$ 1,757.94	dshop
248778	4/19/2019	001-431486	PISTON SERVICE OF ANACORTES	FILTER- VEH #424	\$ 12.75	dshop
248798	4/19/2019	5056434080	RICOH USA, INC	S/N C86112175 3RD FL COPIER 1/21-4/20/19	\$ 2,252.32	finance
248920	4/19/2019	634	SKAGIT COUNTY PUBLIC HEALTH	COMMUNITY SERVICES AT THE SENIOR ACTIVITY CENTER - 1ST QUARTER 2019	\$ 9,180.00	hr
248702	4/19/2019	RE 41 JA2711 L158	WASHINGTON STATE DEPARTMENT	MARCH 2019 SIGNAL LIGHT MAINTENANCE	\$ 73.94	dshop
248892	4/20/2019	83774	LAKESIDE INDUSTRIES, INC.	HMA 1/2" ASPHALT	\$ 636.81	dshop
248895	4/20/2019	84031	LAKESIDE INDUSTRIES, INC.	ROCK SALES	\$ 335.25	dshop
248894	4/20/2019	3296	NW CLEANERS	2019-2020 JANITORIAL SERVICES - APRIL 2019	\$ 4,539.00	pw1
248786	4/20/2019	00005W5A83169	UNITED PARCEL SERVICE, INC	UPS SHIPPING CHARGES; WEEK ENDING 4-20-19	\$ 16.27	apd
248827	4/20/2019	000099E018169	UNITED PARCEL SERVICE, INC	SHIPPING FOR ANNUAL POSI-CHECK	\$ 161.96	medic
248928	4/22/2019	1991208480	ARAMARK	LAUNDRY SERVICE FOR WWTP	\$ 73.27	dwwtp
248834	4/22/2019	00533-FEB 19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 42.50	court
248835	4/22/2019	00531-FEB 19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 195.50	court
248836	4/22/2019	00470-FEB 19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 59.50	court
248837	4/22/2019	00447-FEB 19	CAMPBELL LAW FIRM	PUB DEF CONF	\$ 119.00	court
248839	4/22/2019	00520-FEB 19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 42.50	court
248840	4/22/2019	00462-FEB 19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 34.00	court
248800	4/22/2019	8498 30 017 0543538	COMCAST	DEPOT 611 R AVENUE - 4/22-5/21/19	\$ 186.12	finance
248818	4/22/2019	114322	FASTENAL COMPANY	EXAM GLOVES	\$ 77.42	medic
248790	4/22/2019	839238	SKAGIT COUNTY SOLID WASTE FUND	WTP DUMP RUN	\$ 50.71	dwtpt
248841	4/22/2019	1801060	WASHINGTON TRACTOR, INC	RADIATOR & CAP- VEH #711	\$ 747.76	dshop
248916	4/23/2019	255572A	BAY CITY SUPPLY	FACILITY SUPPLIES	\$ 866.34	pwfac

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248917	4/23/2019	256045A	BAY CITY SUPPLY	FACILITY SUPPLIES	\$ 56.70	pwfac
248918	4/23/2019	256044A	BAY CITY SUPPLY	FACILITY SUPPLIES	\$ 10.55	pwfac
248923	4/23/2019	19-11548	EDGE ANALYTICAL, INC	EFFLUENT TESTING	\$ 338.00	dwwtp
248902	4/23/2019	1106336956	FERRELLGAS, LP	PROPANE- #90009	\$ 42.77	dshop
248844	4/23/2019	792548	PACIFIC LAMP & SUPPLY COMPANY	TWO LED LAMP FIXTURES FOR LIBRARY NEXT	\$ 1,571.78	pwfac
248904	4/23/2019	1720007263	PATEL DDS, RAMAN	DENTAL SERVICES, LINDQUIST, THAD, LEOFF1 RETIREE	\$ 207.50	hr
248029	4/26/2019	6955	ARCHIVESOCIAL, INC.	SCANNING, ARCHIVING	\$ 1,788.00	infosys

Total **\$369,740.36**



City Council Contract Agenda Bill

Meeting Date: 4/29/2019

Agenda Item: 6c

Subject: Contract Award - Street Sweeper Purchase #19-080-ERR-001

Staff Contact: Fred Buckenmeyer

Approved for Submittal to Council by:
Darcy Swetnam, City Attorney

Action Type: Contract Award

Summary Statement: City staff seeks City Council consent to award a contract in the amount of \$248,538.53 to Enviro-Clean Equipment, Inc. for the Street Sweeper Purchase. The contract piggybacks on Washington State contract 02613, and provides for a new Schwarze A7 Street Sweeper as detailed in Exhibit A, with \$20,000.00 credit for trading in our current #303 street sweeper.

Background:

1. **History:** #303 street sweeper is already 1 year past its replacement plan. It is starting to have a high amount of down time and is becoming more of a burden on the shop. The new unit will be more maneuverable as well as quieter and will provide a better service to the city. We will trade the old unit in.
2. **Key Terms:**
 - Total contract price of \$248,538.53 which includes \$20,521.53 in sales tax.
3. **Competitive Bidding:** The City has a cooperative purchasing agreement with the State of Washington and is procuring this vehicle through Washington State contract 02613.

Previous Council/Committee Action: Council considered this contract on the Consent Agenda at its [April 22, 2019](#) meeting but deferred action at that time and requested additional information about inclusion of fleet equipment in the Capital Facilities Plan. Finance Director Steve Hoglund has included slides responsive to that request with the present agenda bill.

Competing Viewpoints Considered: N/A

Recommended Motion: I move that City Council authorize the Mayor to sign a contract 19-080-ERR-001 with Enviro-Clean Equipment, Inc. in the amount of \$248,538.53 for the Street Sweeper Purchase.

Alternative Actions: Cancel the purchase

Attachments: Contract 19-080-ERR-001, slide presentation

Contractor	Enviro-Clean Equipment, Inc.
Contract Amount	\$248,538.53
Earmarked Funds (2019 motor pool vehicles)	\$1,090,000.0
BARS #	501.790.594.48.60
Budget Amendment Required?	No
Start Date	Inception
End Date	180-240 days



City of Anacortes
Accounts Payable
PO Box 547
Anacortes, WA 98221

PURCHASE ORDER 19-080-ERR-001

VENDOR: Enviro-Clean Equipment, Inc
2395 NW Eleven Mile Ave
Gresham, OR 97030

Contact: Brett Andrist
Phone Number: 360-305-7445
Email: BrettA@envirocleanequip.com

Date: April 23, 2019

Contact: WiL Ludemann
Department: Public Works Department
Equipment Rental
(360) 293-1921
ludemannw@cityofanacortes.org

Requested Delivery: within 180-240 days of PO
execution date

Ship to: City of Anacortes
Operations Division
2201A 37th Street
Anacortes, WA 98221

Item	Qty	DESCRIPTION	U/M	Unit Price	Amount
1	1	Schwarze A7 Street Sweeper as detailed in Exhibit A This Work is subject to: - Exhibit A - Exhibit B: All terms and conditions of State of Washington Contract Number 02613; The aforementioned Exhibits A and B are hereby incorporated by reference and made a part hereof.	EA	\$228,017.00	\$228,017.00
Sum Total					\$228,017.00
Sales Tax @ 9.0%					\$20,521.53
Total Price					\$248,538.53

ENVIRO-CLEAN EQUIPMENT, INC.

CITY OF ANACORTES

Signature

MAYOR

Date

Date

Customer:		City of Anacortes		
Contact Name:		Wil Ludemann		
Address:		2201 37th St		
City/State/Zip:		Anacortes, WA		
Phone/Fax #:		360-299-1515		
Sales Rep:		Brett Andrist	Date:	4/11/2019
QTY		Description	As of 8/29/12	Extended
1		Schwarze A7 Regenerative Air Sweeper (Base Bid Price)	\$208,205.00	\$208,205.00
		General Specifications *See bid specs for additional details*		
		Schwarze A7/International 4300		
		7 yard rear dump sweeper		
		250 gallon water capacity		
		John Deere Tier IV Final 115 HP Auxiliary Engine		
		Dual gutterbrooms		
		Sweeps-in-Reverse pick up head		
QTY	REF #	Options Included in State Bid (Items deduct at 75% List)		
		Gutter broom, tilt power, dual	\$1,304.00	\$0.00
1		Hopper deluge, Conical spray	\$804.00	\$603.00
		Air restrictor in-cab chassis	\$270.00	\$0.00
		Air restrictor in-cab Auxiliary engine	\$275.00	\$0.00
		Low water alarm and indicator	\$270.00	\$0.00
		Hopper weight alarm and light	\$345.00	\$0.00
		LED strobes cab mounted (2)	\$420.00	\$0.00
		LED strobes rear mounted (2)	\$420.00	\$0.00
1		Superior signal arrow board	\$2,666.67	\$2,000.00
				\$0.00
		Total Deduction		(\$2,603.00)
QTY	REF #	Schwarze options to Add & Deduct included in bid specs		
		Freightline M2 twin engine chassis change	(\$2,450.00)	\$0.00
		Federal signal Model 100 rotating beacon light in lieu of std (ea)	\$1,000.00	\$0.00
1		Engine brake	\$600.00	\$600.00
		Block heater	\$320.00	\$0.00
		Reversing gutter brooms	\$1,500.00	\$0.00
1		Variable speed gutter brooms	\$2,100.00	\$2,100.00
		Decanting system	\$630.00	\$0.00
		Auto lube system	\$3,375.00	\$0.00
		8" wandering hose for storm drains	\$1,190.00	\$0.00
		Schwarze Options to Add at list price or deduct at 75%		\$ 2,700.00
QTY	REF #	Pick-up-head		
		Broom-in-head	\$ 7,000.00	\$0.00
1		Adjustable skid shoe stops	\$ 600.00	\$600.00
		Auxiliary Engine		
		100 amp alternator	\$ 270.00	\$0.00
		Block heater	\$ 305.00	\$0.00
		Engine remote throttle (use with wandering hose)	\$ 305.00	\$0.00

Washington State Schwarze A7 Street Sweeper

Enviro-Clean Equipment, Inc

Contract

Phone: 1-800-200-8480

		Gutter Brooms		
1		GEO (Gutter Broom Extention Override)	\$2,255.00	\$2,255.00
		Poly segments each	\$190.00	\$0.00
1		Gutter broom, Head, standby	\$1,015.00	\$1,015.00
1		In-cab down pressure	\$2,255.00	\$2,255.00
				\$0.00
		Auxiliary Engine		
		Engine oil heater	\$365.00	\$0.00
		Twin glow plug to -20F	\$395.00	\$0.00
1		Water/fuel separator	\$225.00	\$225.00
		Hopper		
		Remote drop down screens	\$3,690.00	\$0.00
1		Hopper sound suppression	\$630.00	\$630.00
		Hopper dump vibrator	\$1,190.00	\$0.00
		8" wandering hose for storm drains, power boom	\$2,465.00	\$0.00
		Ring, serrated tip, hand hose 8"	\$145.00	\$0.00
		Hand hose extension 4' long	\$310.00	\$0.00
1		Hopper up alarm & indicator	\$345.00	\$345.00
1		Hopper aux engine screen cover	\$540.00	\$540.00
1		Hopper door open indicator	\$270.00	\$270.00
		Hopper dump switches exterior right side	\$420.00	\$0.00
		Hopper stainless steel with stainless steel screens	\$16,995.00	\$0.00
		Hopper with screens, remote stainless steel screens	\$18,705.00	\$0.00
		Hopper drain 6" stainless steel	\$805.00	\$0.00
				\$0.00
		Hydraulic System		
		Hydraulic filter restriction alarm & indicator	\$270.00	\$0.00
		Hydraulic filter gauge in-cab	\$270.00	\$0.00
1		Low hydraulic level indicator in-cab	\$245.00	\$245.00
		Water System		
1		Water tank with addtl 350 gallons	\$3,300.00	\$3,300.00
		Water tank sight gauge (side of tank)	\$190.00	\$0.00
1		Water tank low level alarm & indicator	\$270.00	\$270.00
1		Spray bar front	\$605.00	\$605.00
		Spray bar hopper addtl (4) nozzles	\$605.00	\$0.00
1		Spray bar hopper addtl's (7) nozzles	\$640.00	\$640.00
		High pressure washdown wand w/pump	\$2,905.00	\$0.00
				\$0.00
		Lighting Options		
		Strobe, cab LED	\$420.00	\$0.00
1		Strobe, cab w/guard LED	\$570.00	\$570.00
		Barlight, cab LED	\$660.00	\$0.00
		Barlight, cab w/guard LED	\$780.00	\$0.00
		Barlight, cab w/guard LED, Cab over	\$805.00	\$0.00
		Strobe dual rear LED	\$420.00	\$0.00
		Strob dual rear w/guard LED	\$605.00	\$0.00
1		Additional floodlight LED	\$270.00	\$270.00

Washington State Schwarze A7 Street Sweeper

Enviro-Clean Equipment, Inc

Contract

Phone: 1-800-200-8480

		Arrowboard, traffic guide split	\$750.00	\$0.00
		Arrowboard, traffic guide split LED	\$980.00	\$0.00
1		Barlight, rear LED	\$660.00	\$660.00
		Barlight, rear w/guard LED	\$780.00	\$0.00
				\$0.00
		Misc.		
		Back up color camera system	\$2,090.00	\$0.00
1		Dual Back up color camera system W/head camera	\$2,355.00	\$2,355.00
		Manual, sweeper additonal copy	\$120.00	\$0.00
1		Remote grease fittings, fan	\$245.00	\$245.00
		Magnet, bar 90"	\$1,830.00	\$0.00
		Auto lube system	\$3,375.00	\$0.00
		Spare tire and rim	\$385.00	\$0.00
		Total Additions and Deductions		\$19,995.00
		TOTAL REVISED PRICE		\$225,597.00

Schwarze A7 Sweeper Base Price	\$208,205.00
TOTAL DEDUCTIONS (Options included in State Contract)	(\$2,603.00)
TOTAL OPTION ADDITIONS AND DEDUCTIONS	\$19,995.00
TOTAL REVISED PRICE	\$225,597.00

Unlisted Dealer Option: Peterbilt Chassis	\$10,400	
Unlisted Dealer Option: 3CR12 Stainless Hopper	\$6,650	
Unlisted Dealer Option: 4 Camera System	\$620	
Unlisted Dealer Option: Auto Drop Down Screens	\$1,440	
Unlisted Dealer Option: 10 Point Remote Grease Manifold	\$990	
Unlisted Dealer Option: Hopper Deluge, 4 nozzle spray	\$1,730	
Unlisted Dealer Option: Sweep Head Deluge	\$400	
Unlisted Dealer Option: Cummins QSF Auxiliary Engine	\$0	
Unlisted Dealer Option: Smart Backup Alarm	\$190	
Total Price with Requested Unlisted Options		\$248,017.00
Trade in Value for current sweeper		\$20,000.00
Quote total		\$228,017.00
Washington Sales Tax and 0.3% Vehicle Use Tax		\$20,521.53
Final Total		\$248,538.53

Delivery time frame per contract is 180 - 240 days after receipt of order

If non stock chassis is ordered delivery is 3 months after receipt of chassis at Schwarze, Inc

Contract pricing valid thru 8/29/13, contingent upon annual price review per State Contract

Customer Signature of Approval

Date

Sales Rep Signature of Approval

Date

Capital Facilities Plan (CFP)

The Purpose of CFP is to:

- Provide adequate public facilities to serve existing and new development
- Reduce the cost of serving new development with public facilities
- Ensure that these facilities will be in place when development occurs

Capital Facilities Plan (CFP)

- The CFP is a required Comp Plan element per RCW 36.70A.070
- CFP element defined in WAC 365-196-415
 - WAC 365-196-415(2)(b) - Future Forecast Needs
 - WAC 365-196-415(2)(b)(ii,iii):

(ii) Capital facilities involved should include, at a minimum, water systems, sanitary sewer systems, stormwater facilities, reclaimed water facilities, schools, parks and recreational facilities, police and fire protection facilities.

(iii) Capital facilities that are needed to support other comprehensive plan elements, such as transportation, the parks and recreation or the utilities elements, may be addressed in the capital facility element or in the specific element.

- Required to be implemented to collect impact fees, and to collect REET.
- Projects are required to be listed in the CFP to be funded with Impact Fees or REET

Capital Facilities Plan (CFP)

- The City of Anacortes Capital Project definition is in Section 1.3 of the 2019-2024 CFP:

1.3 Definition of a Capital Project

According to WAC 365-196-415, capital facilities to be included in the inventory and analysis of the CFP include, at a minimum water systems, wastewater systems, stormwater systems, schools, parks, trails, and recreation, public safety, and transportation. Capital facilities generally have a long useful life and include both city and non-city operated infrastructure. Capital facilities planning does not cover regular operations and maintenance, but such planning does include major repair, rehabilitation, or reconstruction of facilities.

For the purposes of this plan document, capital facilities projects are generally defined to be any project that possesses all the following characteristics:

- Has a useful life of at least 10 years;
- Exceeds an estimated cost of \$20,000;
- Involves totally new physical construction (or equipment procurement), reconstruction designed to gradually and systematically replace an existing system on a piecemeal basis, replacement of a major component of an existing facility, or acquisition of land or structures;
- Involves City funding in whole, or in part, or involves no City funds, but is the City's responsibility for implementing, such as a 100% grant-funded project.

Capital Facilities Plan (CFP)

- After reviewing statutes driving CFP requirement, and reviewing other CFP's from Cities around the State, the decision was made to remove ERR fleet vehicles from the CFP.
 - They didn't really fit into the CFP criteria to support new development.
 - They are purchased with cash set aside for that purpose, REET and Impact Fees are not used (except in future limited cases for Fire).
 - Anacortes was the only CFP we saw that had Fleet vehicles in the CFP.

ERR Fleet Vehicle Budgeting

- In the 2019 / 2020 Biennial budget fleet replacement vehicles are illustrated in the ERR budget at line 1259, under BARS # 501.790.594.48.60

				2019		2020	
Line	TITLE	BARS	Account	Budget Request	Description	Budget Request	Description
1258	MOTOR POOL VEHICLES/PUBLIC WORKS EQUIPMENT						
1259		501.790.594.48.60	Capital Outlays	1,090,000	Replacement equipment	553,000	Replacement equipment

ERR Fleet Vehicle Budgeting

- The totals in BARS # 501.790.594.48.60 are supported by a detail list that is generated out of the ERR database, and confirmed with Fleet Admin, for replacement of vehicle at the end of its useful life:

FY 2019

Department	Veh #	Amount	Description
Fire	#215	\$ 55,000	Ford Exp. 2003
Police	#006A	\$ 60,000	Crown Vic - 2003
Police	#009A	\$ 60,000	Crown Vic - 2009
Solid Waste	#510	\$ 400,000	Front loader - 2012
Parks	#145	\$ 45,000	Pickup trk - 2000
Parks	#611	\$ 150,000	5 Yard dump truck -1988
Street	#303	\$ 320,000	Sweeper - 2011
		<u>\$1,090,000</u>	

FY 2020

Department	Veh #	Amount	Description
ER	#051	\$ 40,000	Toyota Camry - 2008
Water	#159	\$ 60,000	F350 truck - 2009
WTP	#828	\$ 13,000	Boat & trailer - 1996
Fire	#218	\$ 60,000	Ford Exp.-2004
Police	#011A	\$ 65,000	Ford Crown Vic - 2010
Police	#018A	\$ 65,000	Chevy Caprice -2013
Police	#046	\$ 65,000	Dog Catcher vehicle
Parks	#144	\$ 50,000	Dodge 250 pickup - 2000
Parks	#122	\$ 50,000	Dodge 250 pickup - 2001
Parks	#708	\$ 35,000	John Deere Mower - 2007
Street	#139A	\$ 50,000	Ford F-250 - 2008
		<u>\$553,000</u>	

ERR Fleet CFP and Budget

- Useful resources:
 - City 2019-2024 CFP:
<https://www.anacorteswa.gov/ArchiveCenter/ViewFile/Item/531>
 - City 2019 / 2020 budget:
<https://www.anacorteswa.gov/DocumentCenter/View/14252/Final-2019-2020-Biennial-Budget-Book?bidId>
 - MRSC Capital Facilities Planning:
<http://mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/Capital-Facilities-Planning.aspx>
 - WAC 365-196-415:
<https://app.leg.wa.gov/wac/default.aspx?cite=365-196-415>
 - RCW 36.70A:
<https://app.leg.wa.gov/RCW/default.aspx?cite=36.70A>

ANACORTES

Development Regulations Update

City Council Meeting

April 29, 2019



Division 4 - Zoning and Land Uses

19.40 Zones

19.42 Allowed Uses

19.43 Form and Intensity Standards

19.43 Residential Uses

19.44 Commercial Uses

19.45 Industrial Uses

19.46 Public, Institutional & Open Space Uses

19.47 Accessory Uses & Structures

19.48 Temporary Uses

19.49 Nonconforming Uses & Structures

Discussion Items

1. Table 19.42.030, reconsider by-right height increase in C & CBD zones
 2. Table 19.42.070, review bonus incentives in the MMU zone
 3. 19.43.010(H)(3) regarding single purpose residential uses in the MMU zone
 4. R1 bonus incentives & cottage housing
 5. 19.43.010, regarding garage setbacks
- + An extra edit item or two are also included for discussion

1

By-Right Height Limits in the CBD, C zones

Table 19.42.030

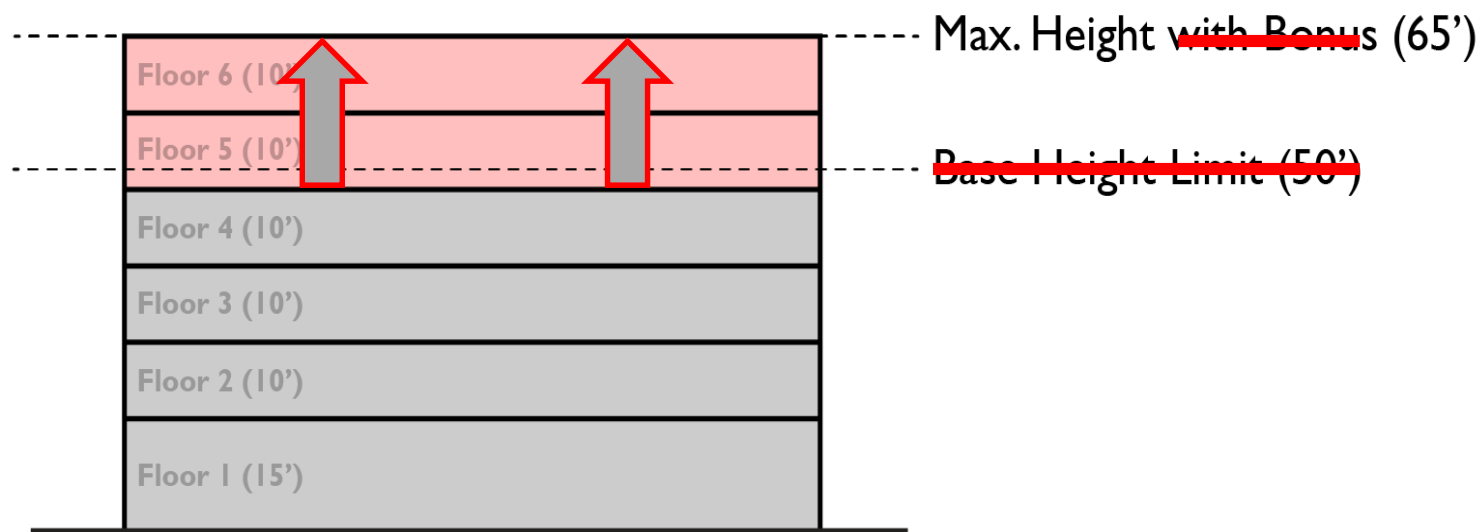
Form and intensity standards for mixed-use and industrial zones.

Measure	CBD	C	MMU	CM	CM2	LM	LMI	MS	I	HM	Conditions/ Reference
LOT SIZE & DEVELOPMENT INTENSITY											
Density minimum (dwelling units/gross acre)	15	15	15(x)								See AMC 19.42.100 (x) East of Q Avenue only
Maximum building size without a conditional use permit (gross floor area)				200,000			300, 000		200, 000		
Landscaped area, minimum percentage	10%	10%	10%	15%	15%	10%	10%		10%	10%	See AMC 19.65.030 for landscaped area provisions
HEIGHT (feet) – PRINCIPAL STRUCTURES											
Height, base maximum	65	50	35-45 (x)	35	50	35	50	50	50	50	See AMC 19.42.120 for building height exceptions and modifications (x) AMC 19.42.120(C)(4-5)
Height, maximum with bonus			50-65 (x)	50		50(x)					See AMC 19.42.060- .080 (x) AMC 19.42.120(C)(4-5)

19.42 Form and Intensity Standards

- Reconsider “by right” maximum building heights vs. bonus incentives to obtain additional height in C and CBD zones
 - CBD: 50-65’
 - C: 40-50’

Based on public input and after considerable discussion, the PC recommended increasing the height limits in the C and CBD zones without requiring density bonus features.





D. Option 2: Affordable units. Developments that integrate affordable dwelling units per the standards below qualify for the height bonus.

1. For every three dwelling units occupying floor area above the base height limit, at least one affordable dwelling unit must be integrated into the development. Dwelling units larger than 1,400-square-feet (leasable/living area, excluding common hallways) qualify as two standard dwelling units. Note: Applicable floor area over base height limit refers to any floor to ceiling space of applicable dwelling units or shared recreational or amenity space that exceeds the base height limit established in Tables 19.42.020-030. See Figure 19.42.050 for an example.
2. For every 2,000-square-feet of shared recreational or amenity space that is integrated into floor area that occupies space above the base height limit, at least one affordable dwelling must be integrated into the development.
3. **Income limit and affordability.** _____
 - a. Dwelling units that qualify as affordable housing must be affordable to households whose annual income does not exceed 50-percent of median income [see subsection (3) below] for rental units or 80-percent of median income for owner-occupied housing, adjusted for household size, and no more than 30-percent of monthly household income is paid for monthly housing expenses [see subsection (2) below].
 - b. Housing expenses for ownership include mortgage and mortgage insurance, property taxes, property insurance, and homeowner dues. Housing expenses for rental housing include rent and appropriate utility allowances.
 - c. The median income for the Mount Vernon-Anacortes Metropolitan Statistical Area (MSA) is determined by the Secretary of Housing and Urban Development under Section 8(f)(3) of the United States Housing Act of 1937, as amended. If programs under said Section 8(f)(3) are terminated, median income is determined under the method used by the Secretary prior to

PC presumed that the proposed affordable housing provisions would discourage use of height bonus provisions and may be challenging to administer/enforce

Options Discussed with Planning Commission.....

?

Considerations		
Consideration	Possible Benefits	Potential Drawbacks
2a Keep bonus provisions as is (in second draft)	Bonus provision focuses on open space, thus increasing the opportunity for developing more affordable housing.	Provision may prove to be too challenging and thus discourage its use
2b Allow for a number of smaller-than-usual market-priced units to unlock the height bonus (development of new affordable housing)	Offers greater flexibility to developer; Provides expanded opportunity for ground level commercial space	Without a legal agreement in place there is no guarantee smaller units will be more affordable to lower income households.
2c Allow a number of smaller-than-usual market-priced units to unlock the height bonus	Offers greater flexibility to developer, additional affordable housing units may be built	Concept does not provide affordable housing and may be much easier to meet than affordable housing requirement; Ground level space may stay vacant if market for commercial space is limited.
2d Mixed-use incentive. For sites in non-residential zones where ground level commercial is not required, provide for ground level commercial space meeting storefront design standards along at least 50% of the site's block frontage to achieve bonus height.	Offers greater flexibility to developer, additional affordable housing units may be built	Without a legal agreement in place there is no guarantee smaller units will be more affordable to lower income households.

Considerations

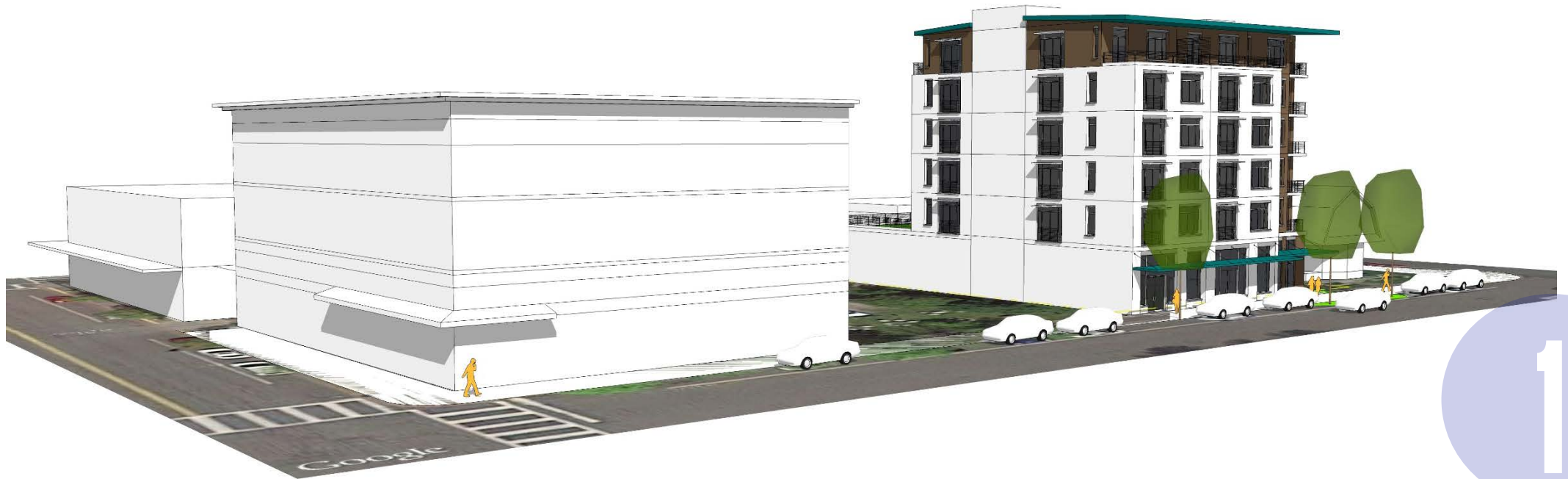
Consideration	Possible Benefits	Potential Drawbacks
2a Keep bonus provisions as is (in second draft)	Bonus provision focuses on open space, thus increasing the opportunity for developing more affordable housing.	Provision may prove to be too challenging and thus discourage its use
2b Offer a fee-in-lieu of affordable units (fees to go towards the development of new affordable housing)	Offers greater flexibility to developer; \$ can be spent elsewhere to provide affordable housing	Fees may not be enough to produce viable affordable housing;
2c Allow a number of smaller-than-usual market-priced units to unlock the height bonus	Offers greater flexibility to developer, additional affordable housing units may be built	Without a legal agreement in place there is no guarantee smaller units will be more affordable to lower income households.
2d Mixed-use incentive. For sites in non-residential zones where ground level commercial is not required, provide for ground level commercial space meeting storefront design standards along at least 50% of the site's block frontage to achieve bonus height.	Offers greater flexibility to developer; Provides expanded opportunity for ground level commercial space	Concept does not provide affordable housing and may be much easier to meet than affordable housing requirement; Ground level space may stay vacant if market for commercial space is limited.

Considerations

Consideration	Consideration	Possible Benefits	Potential Drawbacks
2a Keep building height at second floor	2e Pedestrian-oriented space integration. For sites that integrate pedestrian-oriented space (meeting design requirements in AMC 19.62.040.C) into the site (perhaps a minimum 5% of the site)	Integration of new pedestrian-oriented space	If the percentage of required pedestrian-oriented space is considered too high, it may discourage the use of the height bonus
2b Offer a mix of units (forfeiting development rights for housing)	  <i>This could include a small entry plaza like the left image above, or it could include a</i>		
2c Allow a mix of uses at the usual maximum height			
2d Mixed-use development with non-residential space on the ground level to provide space for neighborhood standard site's building height bonus	2f Adjust affordable housing provisions to add greater flexibility (details to be determined)	Adding more flexibility may reduce the protections for long term affordability and/or reduce the number of affordable units.	Adding flexibility to the provisions may increase the likelihood that this bonus provision (and affordable housing) gets used.

Illustrating what 65' buildings in the CBD could look like:

The 3D model images illustrate what a 6-story mixed-use building meeting applicable CBD dimensional standards, storefront block frontage standards, and other design standards might look like when superimposed on a site in Anacortes's CBD. The all white buildings represent existing buildings, with massing scaled approximate to the height/size of such buildings.



Height Limits in CBD & C Zones

Note the building includes the required upper level 10' stepback before the 6th floor.



Height Limits in CBD

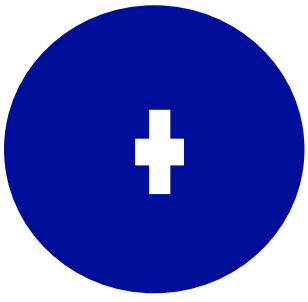


Height Limits in CBD & C Zones

?

Considerations

Consideration	Possible Benefits	Potential Drawbacks
2a Keep bonus provisions as is (in second draft)	Bonus provision focuses on open space, thus increasing the opportunity for developing more affordable housing.	Provision may prove to be too challenging and thus discourage its use
2b Offer a fee-in-lieu of affordable units (fees to go towards the development of new affordable housing)	Offers greater flexibility to developer; \$ can be spent elsewhere to provide affordable housing	Fees may not be enough to produce viable affordable housing;
2c Allow a number of smaller-than-usual market-priced units to unlock the height bonus	Offers greater flexibility to developer, additional affordable housing units may be built	Without a legal agreement in place there is no guarantee smaller units will be more affordable to lower income households.
2d Mixed-use incentive. For sites in non-residential zones where ground level commercial is not required, provide for ground level commercial space meeting storefront design standards along at least 50% of the site's block frontage to achieve bonus height.	Offers greater flexibility to developer; Provides expanded opportunity for ground level commercial space	Concept does not provide affordable housing and may be much easier to meet than affordable housing requirement; Ground level space may stay vacant if market for commercial space is limited.



19.42.140 Building Height Exceptions

A late comment came in about the need to allow an increase in the height exception (from 10-15') for rooftop elevator housing/screening on buildings over 4-stories in height - based on modern functional needs of these facilities

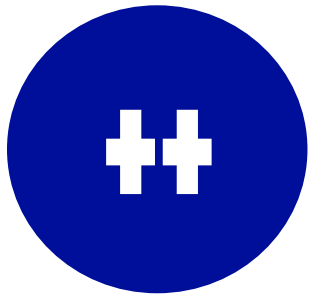


Suggested edits to accommodate....

B. Exceptions. The following structures may be erected above the height limits established in Tables 19.42.020 and 19.42.030:

1. Roof structures housing or screening elevators, stairways, tanks, rooftop wind generators, ventilating fans or similar equipment required for building operation and maintenance may exceed the height limit by up to ten-feet in the R3, R3A, R4, R4A, mixed-use, and industrial zones, provided the area with the added height is limited to what is necessary to screen or enclose the use. Such structures constructed for non-residential or multifamily uses are subject to screening standards in AMC 19.62.070(E).
2. Roof structures housing or screening elevator penthouses may exceed the height limit by up to 15-feet in R4 and mixed-use zones, provided the area with the added height is limited to what is necessary to screen or enclose the use. Such structures constructed for non-residential or multifamily uses are subject to screening standards in AMC 19.62.070(E).
- ~~32.~~ Fire or parapet walls may exceed the height limit by up to five-feet in the R3, R3A, R4, and R4A zone and ten-feet in mixed-use and industrial zones.





Building Height Clarification in the LM Zone

Staff noted that some clarifications on the base vs. bonus height for the LM zone is needed – notably for the LM zone by airport. Suggested chart updates:

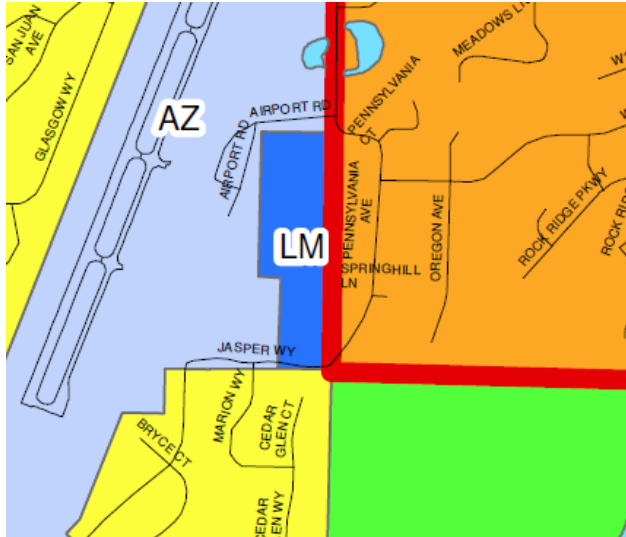
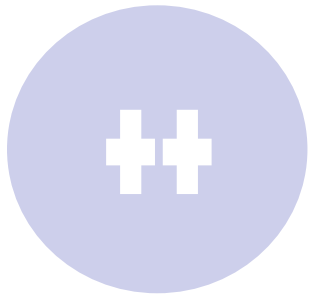


Table 19.42.030											
Form and intensity standards for mixed-use and industrial zones.											
Measure	CBD	C	MMU	CM	CM2	LM	LMI	MS	I	HM	Conditions/ Reference
LOT SIZE & DEVELOPMENT INTENSITY											
Density minimum (dwelling units/gross acre)	15	15	15(X)								See AMC 19.42.100 (X) East of Q Avenue only
Maximum building size without a conditional use permit (gross floor area)				200,000			300, 000		200, 000		
Landscaped area, minimum percentage	10%	10%	10%	15%	15%	10%	10%		10%	10%	See AMC 19.65.030 for landscaped area provisions
HEIGHT (feet) – PRINCIPAL STRUCTURES											
Height, base maximum	65	50	35-45 (X)	35	50	35-50 (X)	50	50	50	50	See AMC 19.42.120 for building height exceptions and modifications (X) AMC 19.42.120(C) (4-5)
Height, maximum with bonus			50-65 (X)	50		50(X)					See AMC 19.42.060- .080 (X) AMC 19.42.120(C) (4-5)



Building Height Clarification in the LM Zone

Suggested updates

C. Modifications.

- I. **The LM zone** ~~abutting the Guemes Channel.~~ The maximum height is 35-feet for residential structures and 50-feet for non-residential structures, except nNonresidential structures over 35-feet in height within the LM zone abutting the Guemes Channel may only be approved through the conditional use process. ~~A conditional use permit for heights between 35 and 50 feet must only be granted~~ for uses which are permitted uses in the zone, and where the specialized nature of the use is such that the operations, processes, and equipment cannot be accommodated in a building 35-feet or less in height. The applicant must show specifically why the additional height is needed. The conditional use permit must limit the height and area consistent with RCW 90.58.320 and to that which is reasonably necessary to accommodate the specific operations, processes, and equipment. All portions of the facility which do not have a specialized function requiring additional height must comply with the 35 foot height limit.

2

Re-examine the MMU Height Bonus Options

Provision allows a height increase from 45' to 65' in subject area below



2



Image Landsat / Copernicus

© 2018 Google

Google Earth

B. Bonus incentives in the portion of the MMU zone east of Q Avenue. Buildings integrating one feature from the list below have a bonus height limit addition of ten-feet above the base height limit. Buildings integrating two features from the list below have a bonus height limit addition of 20-feet above the base height limit.

Table 19.42.070

Height bonus incentive features for the portion of the MMU zone east of Q Avenue.

- I Vertical mixed-use building design:** Ground level spaces designed to accommodate non-residential uses must occupy at least 50% of the building’s primary façade. Such spaces must be at least 50’ deep and contain 13’ minimum floor to ceiling heights. Residential lobbies and structured parking areas do not qualify as non-residential space for the purposes of this incentive option.

Examples



Table 19.42.070

Height bonus incentive features for the portion of the MMU zone east of Q Avenue.

- 2 Provide additional ground level pedestrian-oriented space [meeting design requirements in AMC 19.62.040(C)] equal to at least 2% of the development site.

Such space must be above and beyond minimum sidewalk, esplanade, and applicable pedestrian-oriented space requirements. This could include a small entry plaza (left image), or it could include a widened sidewalk (middle image).

Examples

- 3 Provide space for a public park at least 10,000sf in area on a site agreed upon by the City. The space should be configured and located so it is able to incorporate common municipal park features such as playgrounds, fitness areas, picnic areas, pavilions, etc.

- 4 Integrate ornamental stormwater management features. Include creative and expressive techniques to celebrate stormwater management. The feature must be a significant visible design feature of the site and must include educational signage or a plaque explaining the incorporated stormwater techniques as determined and approved by the City. The design and management plan for the features must demonstrate long term success of the ornamental stormwater management element. See examples below.



Table 19.42.070

Height bonus incentive features for the portion of the MMU zone east of Q Avenue.

- 5 **Integrate visible landscaping elements on buildings.** This could include a combination of green walls and green roof elements integrated as a prominent visual feature of the building. To qualify, at least 50% of applicable roof areas or 5% of street facing façades must be vegetated. Reduced and/or a combination of green roof/walls may be acceptable provided the visible placement and high quality of the installations achieves the intent of the amenity feature. The design and management plan for the landscaping features must demonstrate long term success of the landscaping element. See examples below.

Examples



- 6 **Integrate upper level building step backs.** Stepbacks must be at least 8' deep, along at least 75% of building frontage, and located on the building's street facing façade(s). See example below.

Example

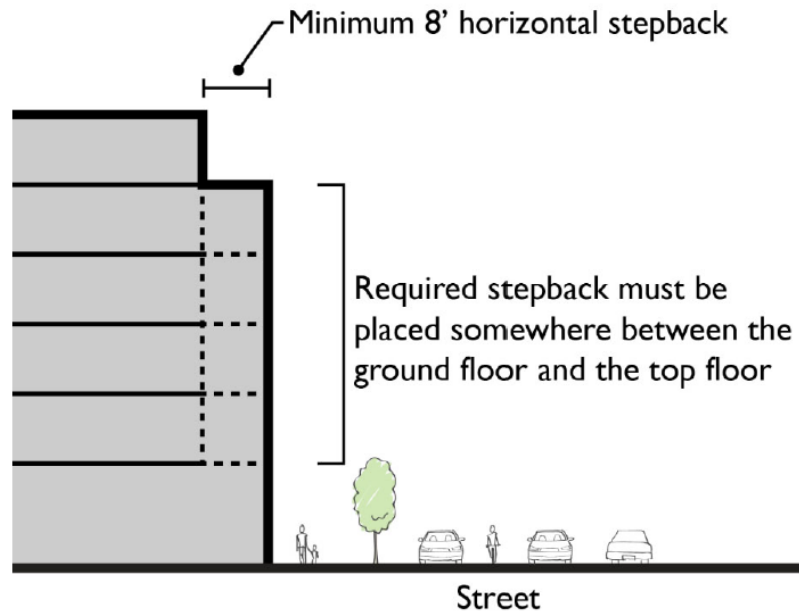


Table 19.42.070	
Height bonus incentive features for the portion of the MMU zone east of Q Avenue.	
Example	7 Integration of permanent public art in visible location. This could include a mural, mosaic, sculptural element, or gateway feature that is clearly recognizable as public art as determined by the director in consultation with the City of Anacortes Arts Commission. Feature may be located in a plaza, within the streetscape adjacent to the building, and/or on the building. Off-site features may be considered by the City provided they are placed within the Central Waterfront MMU zone. To qualify as an amenity, the estimated cost of the feature must be at least 1% of the construction cost of the development. 
	8 Exceptional landscaping display in visible location. The display must cover an area equal to at least 2% of the development site and function as a prominent visual feature of the development. The design and management plan for the landscaping display must demonstrate long term success of the landscaping elements. See examples below. 

Table 19.42.070	
Height bonus incentive features for the portion of the MMU zone east of Q Avenue.	
9	Integrating brick as the primary cladding material on the building. In order to qualify, brick must occupy at least 50% of the cladding on the street facing façades of the applicable building.
Example	
10	Provide freely accessible public restrooms. Must be available to the general public (not only commercial customers) and available daily.
11	Provide indoor meeting space available for free to the general public (3,000sf min.). See example below.
Example	
12	Other similar features that function as a permanent public amenity. Such features must be comparable in cost and public benefit to the features above.

**Other Options Discussed with
Planning Commission.....**

Considerations – MMU Zone (to achieve bonus height)

Consideration	Possible Benefits	Potential Drawbacks	PC rec.
2a Add more bonus incentive options to achieve additional height in the MMU zone, including:	Allows greater choices by developer and thus may be more viable/desirable to use.	Some options are easier to use than others (thus bothering to include to use the more challenging options may be a waste of time)	Yes
1 Provide an environmental certification threshold (TBD)	Helps to meet sustainability goals.	There could be some timing/implementation assurance challenges depending on details	No
2 Allow a number of smaller-than-usual market-priced units	Offers greater flexibility to developer, additional affordable housing units may be built	Without a legal agreement in place there is no guarantee smaller units will be more affordable to lower income households	No
3 Offer a fee-in-lieu of affordable units (fees to go towards the development of new affordable housing)	Offers greater flexibility to developer; money can be spent elsewhere to provide affordable housing	Fees may not be enough to produce viable affordable housing and option may be more challenging and/or unappealing for developer to	No



MMU Height Bonus Incentives

4	Include permitted non-residential uses on at least 50% of the building's ground level frontage	Promotes a mix of uses and activated ground level	Other standards already require a generous amount of non-residential uses on the ground level of the site	Yes
5	Provide ground level pedestrian oriented space (meeting design requirements in AMC 19.62.040.C) = to 5% of the development site associated with this building. Such space must be above and beyond base sidewalk and other required site improvements.	Provides an amenity desirable to the community and the developer, therefore is more likely to be used	Reduces the likelihood that other incentive items will be used	Yes
2b	Keep bonus provisions as is (in second draft with only the affordable housing provision)	Bonus provision focuses on increasing the opportunity for developing more affordable housing.	Provision may prove to be too challenging and thus discourage its use; PC members expressed a willingness to consider other options	No
2c	Adjust affordable housing provisions to add greater flexibility (details to be determined)	Adding more flexibility may reduce the protections for long term affordability and/or reduce the number of affordable units.	Adding flexibility to the provisions may increase the likelihood that this bonus provision (and affordable housing) gets used.	No

2

Thoughts on desired changes.....?



3

Re-examine the MMU Single- Purpose Residential-Use Provisions

PC recommendations would allow Townhouses and Multifamily uses by-right on up to 60% of the portion of the MMU zone shown below





Provision details are now set forth in 19.43.010.H.3 and G.3 under use details for Townhouses and Multifamily:

3. MMU zone east of Q Avenue standards:

- a. Multifamily dwellings are allowed on upper floors throughout the site.
- b. Multifamily family dwellings and other permitted residential uses within single purpose buildings* may cover up to 60-percent of the site area (parcel or contiguous parcels held under common ownership) provided they meet access, site and building design standards in this title. Associated parking, landscaping, open space, and other facilities accessory to the residential uses are included within the site area limitation. The maximum percentage may be increased through a framework development plan (AMC 19.61.180).

* Mixed-use buildings that meet the following criteria are not considered a single-purpose residential building:

- i. At least 50-percent of the ground level building frontage is designed to accommodate non-residential uses meeting the interior space requirements in subsections (ii) and (iii) below.
- ii. Spaces feature 13-foot minimum floor to ceiling height.
- iii. Spaces are at least 50-feet deep.



Provision details are now set forth in 19.43.010.H.3 and G.3 under use details for Townhouses and Multifamily:

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3

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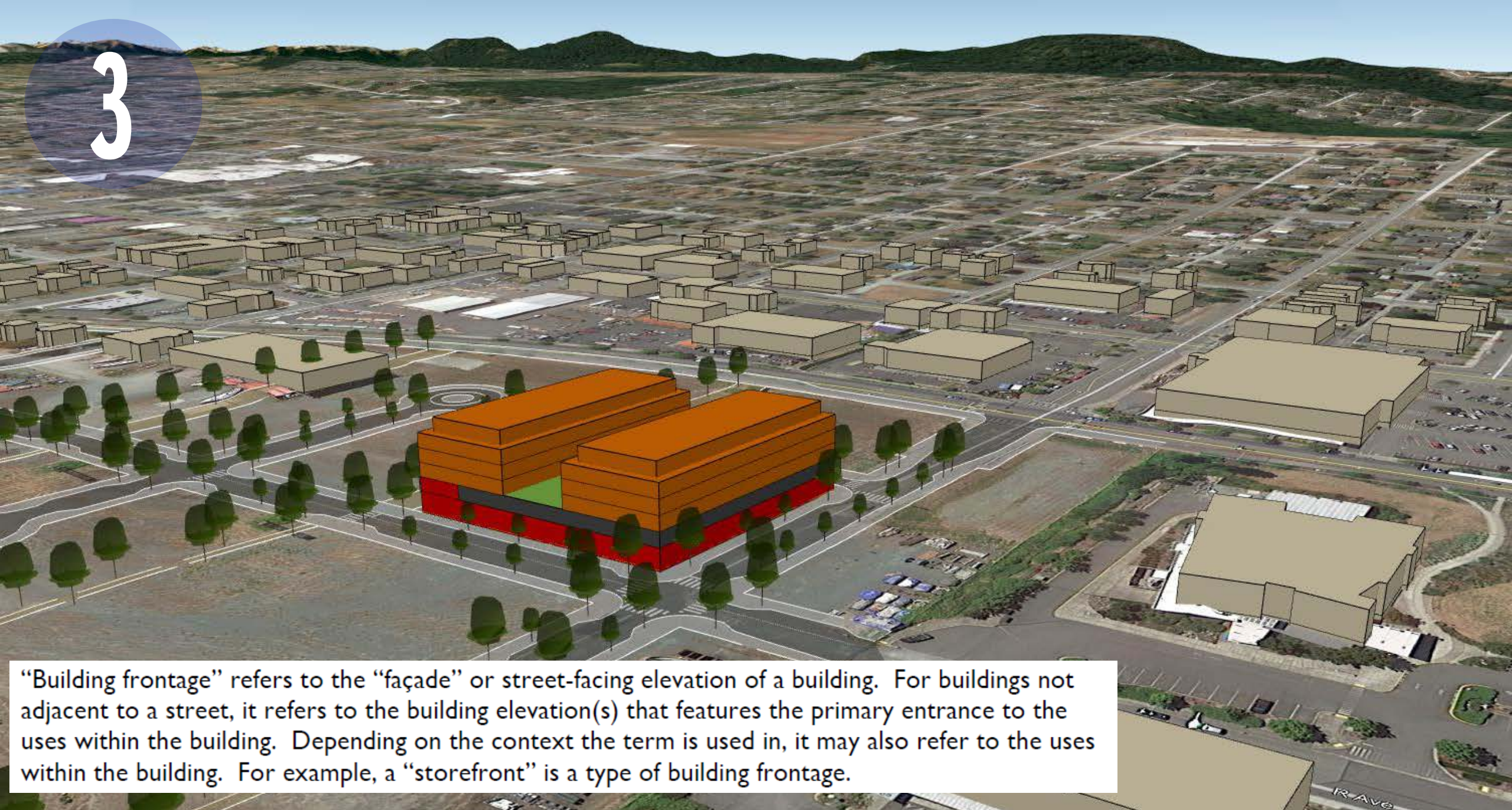
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* Mixed-use buildings that meet the following criteria are not considered a single-purpose residential building:

- i. At least 50-percent of the ground level building frontage is designed to accommodate non-residential uses meeting the interior space requirements in subsections (ii) and (iii) below.

“Building frontage” refers to the “façade” or street-facing elevation of a building. For buildings not adjacent to a street, it refers to the building elevation(s) that features the primary entrance to the uses within the building. Depending on the context the term is used in, it may also refer to the uses within the building. For example, a “storefront” is a type of building frontage.



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Comprehensive Plan guidance on the issue...

Marine Mixed-Use

Purpose: This designation provides for a special mix of commercial, cultural, recreational, and residential uses in a high amenity area along the waterfront or with special waterfront relationship. The design of uses is intended to emphasize the unique marine setting by providing marine access and views from public spaces and establishing/maintaining a pedestrian-friendly character.

Principal uses & density: The primary uses are commercial, hospitality, cultural, and recreational uses. Residential uses are encouraged in mixed-use structures and allowed in single purpose structures provided developments include a horizontal mix of uses. Multi-story buildings are encouraged provided they are designed and oriented to provide public marine views and integrate human-scaled design details. New residential uses must feature transit-supportive densities (at least 15 units/acre).

MMU

3



Single-Purpose Residential Uses in MMU

Example illustrating how the proposed use provisions are calculated (example site elsewhere):

 Commercial or Mixed-Use Site	Note: Associated parking, landscaping, open space, and other facilities accessory to the residential uses are included within the site area limitation.
 Single-Purpose Residential Site	

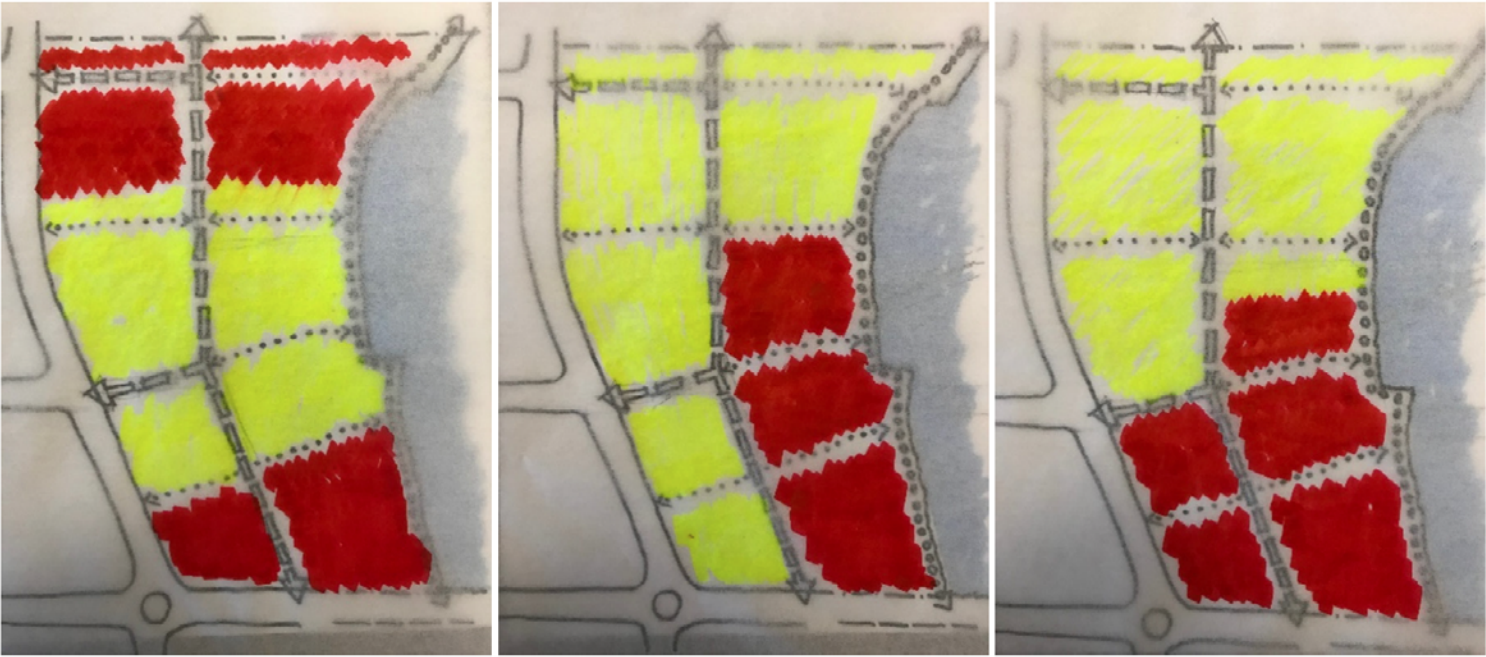


Example illustrating how the proposed use provisions are calculated (example site elsewhere):

 Commercial or Mixed-Use Site	Note: Associated parking, landscaping, open space, and other facilities accessory to the residential uses are included within the site area limitation.
 Single-Purpose Residential Site	



Single-Purpose Residential Uses in MMU

Consideration	Benefits	Drawbacks
STAFF RECOMMENDATION		
7a Increase the allowance for on-site single-purpose residential site area limitation to 67 percent (2/3)	Existing development regulations have not promoted development of this site in over 20 years. This update increases flexibility while still ensuring approximately 8 acres of on-site commercial/non-residential development.	Some community members may have reservations about allowing this much residential on this site. The percentage approach still limits development flexibility and may not be aligned with market demand.
 Above are conceptual land use development examples showing various mixes of single purpose residential (yellow) along with permitted non-residential and mixed-uses (red) that would meet the suggested use mix requirement. The dashed lines include conceptual internal streets, pedestrian corridors, and the waterfront esplanade, which will be required regardless of the use mix.		

3

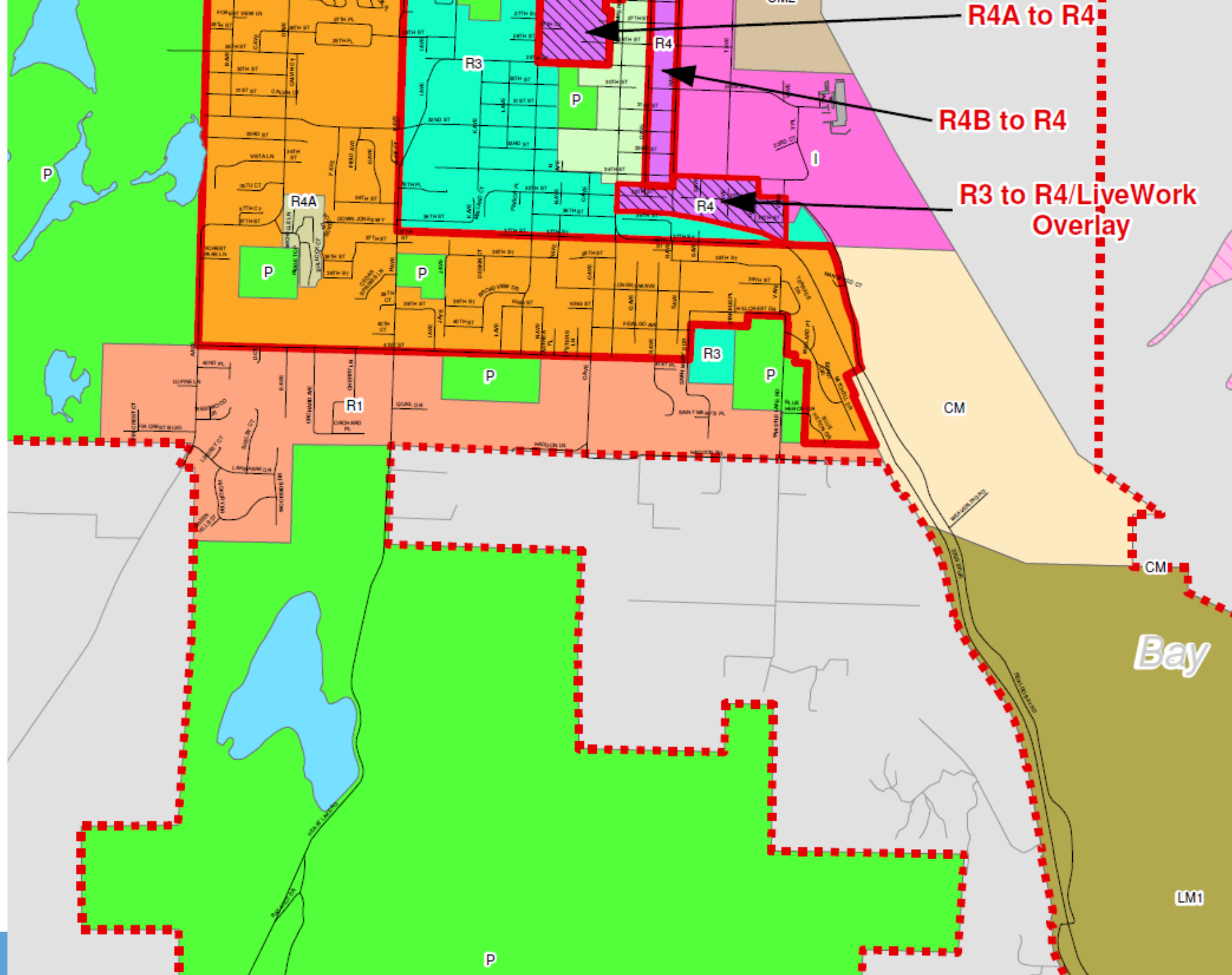
Thoughts on
desired changes.....?

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Google Earth

4

Re-examine R-1 Density Bonus & Cottage Housing Provisions?



19.42.050 - Bonus incentives, R1 zone

(PC recommended deleting option entirely – without a CUP option – per public comment & considerable discussion)

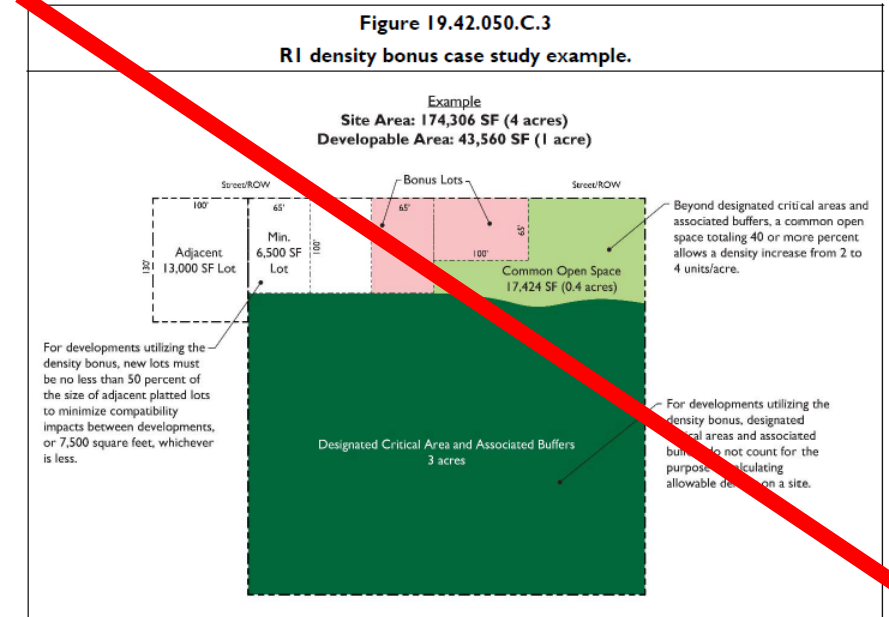
19.42.050 - Bonus incentives, R1 zone. (NEW)

A. Purpose. To offer flexibility in the density of developments within the R1 zone that reserve permanent open space and/or agricultural land as a part of the subdivision.

B. Applicability. The density bonus opportunities apply to all R1 subdivisions.

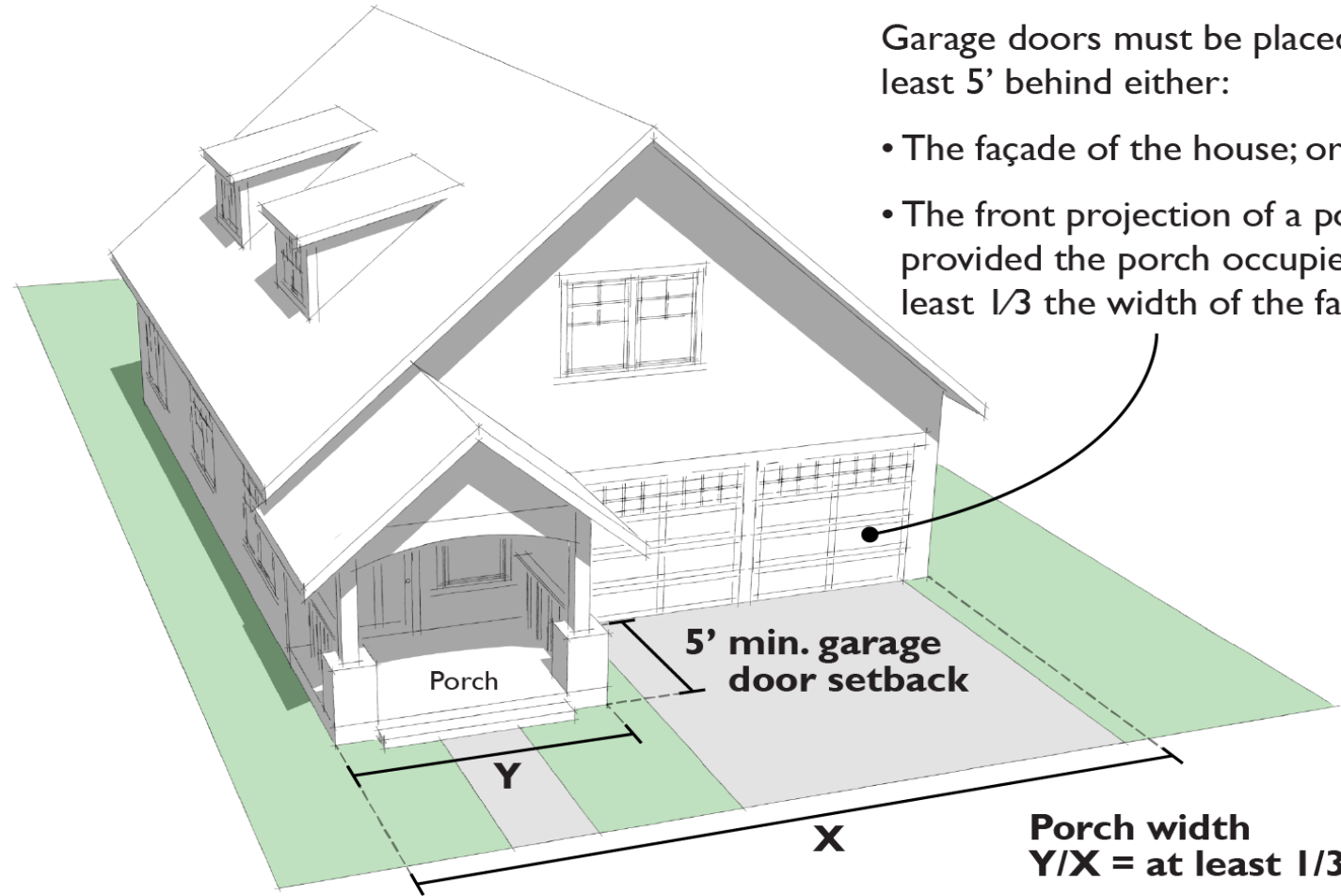
C. Standards.

1. Lots within R1 subdivisions applying for bonuses are subject to standards in Table 19.41.020, except:
 - a. New lots must be **at least 5,000 square feet** and no less than 50 percent of the size of adjacent platted lots to minimize compatibility impacts between developments.
 - b. Designated critical areas and associated buffers do not count for the purpose of calculating allowable density on a site. For example, if a development site is four acres, but three of those acres are designated critical areas and associated buffers, then the usable site area for density purposes is only one acre. The applicant for a subdivision on this site may still apply for a density bonus (to achieve an increase in the possible number of lots from two to four), provided applicable bonus and common open space criteria below are met.
2. Density bonus for common open space:
 - a. Common open space: 25-39.9 percent = Density increase from 2 to 3 units/acre.
 - b. Common open space: 40 or more percent = Density increase from 2 to 4 units/acre.
3. Common open space requirements. For the purpose of obtaining a density bonus, common open space area must be site areas above and beyond any designated critical areas and associated buffers. For example, if a development site is four acres, but three of those acres are designated critical areas and associated buffers, then the common open space applicable to the density bonus must be carved out of the remaining one usable acre. The designated critical areas and associated buffers may still be part of a designated common area, but only the non-critical



5

Reconsider Garage Setback Provisions for Single Family, Duplexes



Comprehensive Plan guidance on the issue...

Policy LU-6.3. Adopt design standards for small lot single family development to gracefully integrate these uses into existing neighborhoods in ways that maintain general neighborhood scale and character.

Key concepts to consider in the design standards:

- A covered entry facing the street.
- Minimize the impacts of garages and driveways on the streetscape.
- Provide usable open space on all single family lots.
- Maximum floor area ratio to better ensure that homes are proportional to lot sizes.
- Minimum amount of façade transparency to promote more “eyes on the street” for safety and to create a welcoming streetscape.

19.43.010 Single Family – Garage Setbacks

- 2nd Draft proposal:
 - Dwelling setback min: 20' (most residential zones)
 - Porches & covered entries may project up to 6' into min. setback
 - Garage setback min: 25'

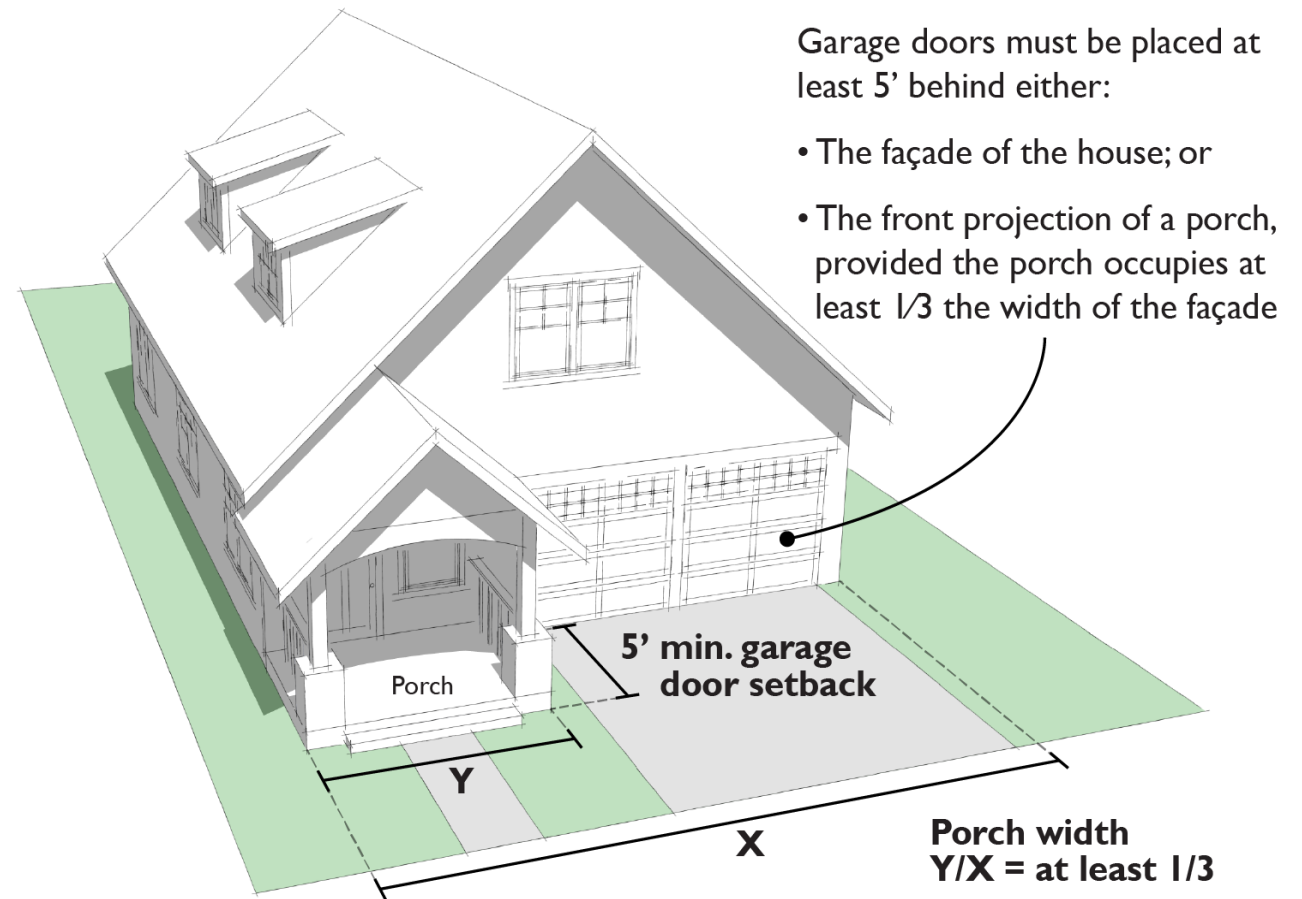


Table 19.42.020									
Form and intensity standards for residential zones.									
Measure	R1	R2	R2A	R3	R3A	R4	R4A	OT	Conditions/Reference
SETBACKS (feet)									
NOTE: The setbacks below apply to principal and accessory structures, except where accessory structure setbacks are modified by 19.47.020.B.									
Front street setback, minimum	20	20	20	20	20	10	10	10	AMC 19.42.140.B
Street setback - garage, minimum	25	25	25	25	25	20	20	20	AMC 19.42.140.B

19.43.010 Single Family – Garage Setbacks

5

- Public comments – concern about 25' setback – effect on lot development and design flexibility.
- Suggested update in response:
 - Adjust min. garage setback from 25' down to 20' – even with house.
 - Add new requirement that garage face must be at least 5' behind front projection of a porch:



19.43.010 Single Family – Garage Setbacks

- Public comments – concern about 25' setback – effect on lot development and design flexibility.
- PC – updated recommendation:
 - Reduce min garage setback from 25' to 20'
 - Don't apply the 5' garage setback (behind porch projection)

4. Lot and dwelling design standards.

a. See AMC 19.53.030 for driveway and access easement standards.

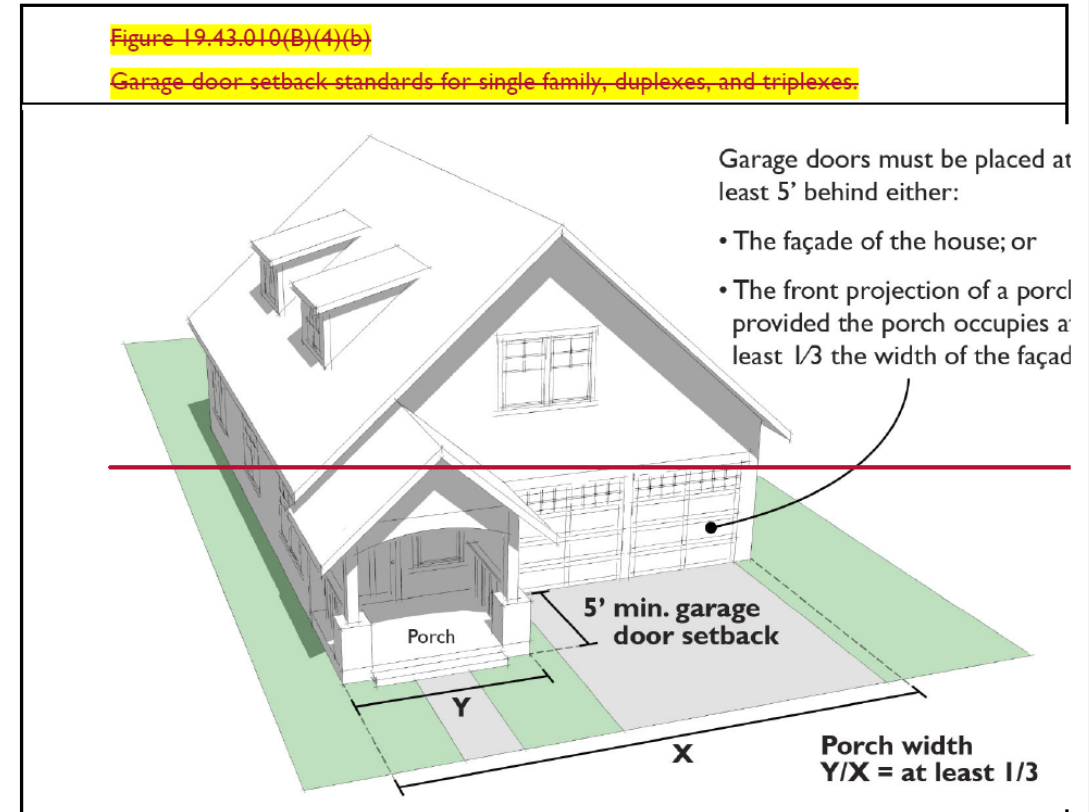
b. Garage doors must be placed at least five feet behind one of the following:

i. The façade of the house;

ii. The front projection of a porch (a covered, but unenclosed projection of the dwelling façade), provided the porch occupies at least one third the width of the façade.

Figure 19.43.010(B)(4)(b)

Garage door setback standards for single family, duplexes, and triplexes.



5

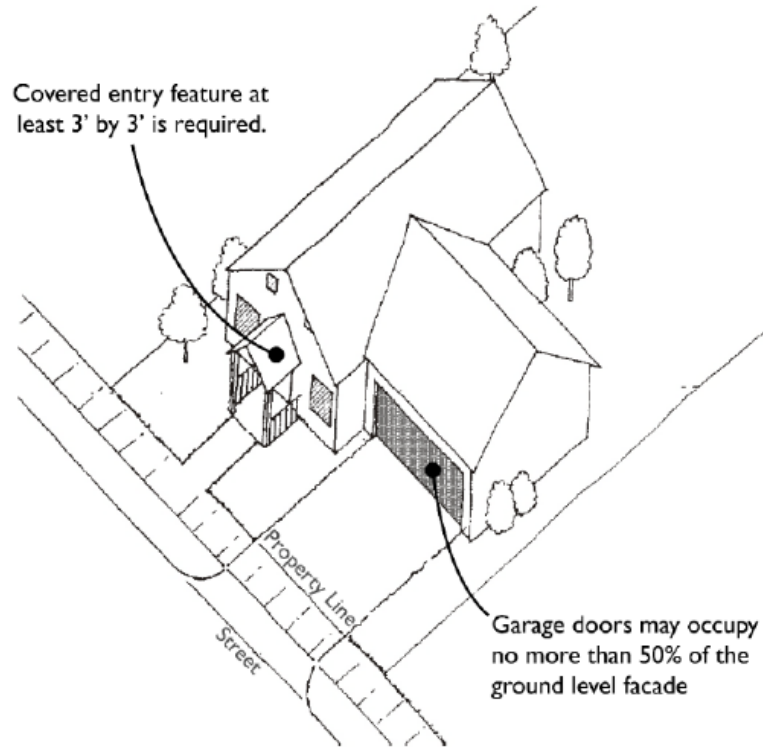
Other related standards –

For houses on lots less than 5,000sf, there are limits to the extend of garages facing the street.



Figure 19.43.010(C)(3)(a)

Key single family - small lot, duplex, and triplex design standards.



5

- ii. Where the garage vehicle door(s) face the street, they may occupy no more than 50-percent of the ground-level façade facing the street. Garage doors may exceed this limit up to a maximum of 65-percent of the ground level façade facing the street provided at least two of the following design details are utilized:
 - (a) A decorative trellis over at least the entire width of the garage door(s).
 - (b) A window or windows are placed above the garage on a second story or attic wall.
 - (c) A balcony that extends out over the driveway.
 - (d) Utilizing all single vehicle car doors as an alternative to wider garage doors suitable for two car garages.
 - (e) Windows in the garage door.
 - (f) Decorative details on the garage door. Standard squares on a garage door will not qualify as a decorative detail.

The provision here in 19.43.010(C)(3)(b)(iii) offers some flexibility – up to 65% of facades

Figure 19.43.010(C)(3)(b)(ii)
Garage design detail examples.



A decorative trellis over the garage door.



A balcony over the garage, single doors (instead of a wider double door), and windows above the garage on a second story.



Random images from Anacortes





31st St

32nd St

D Ave

B Ave



Elgin St

Heather Dr

MacBeth Dr

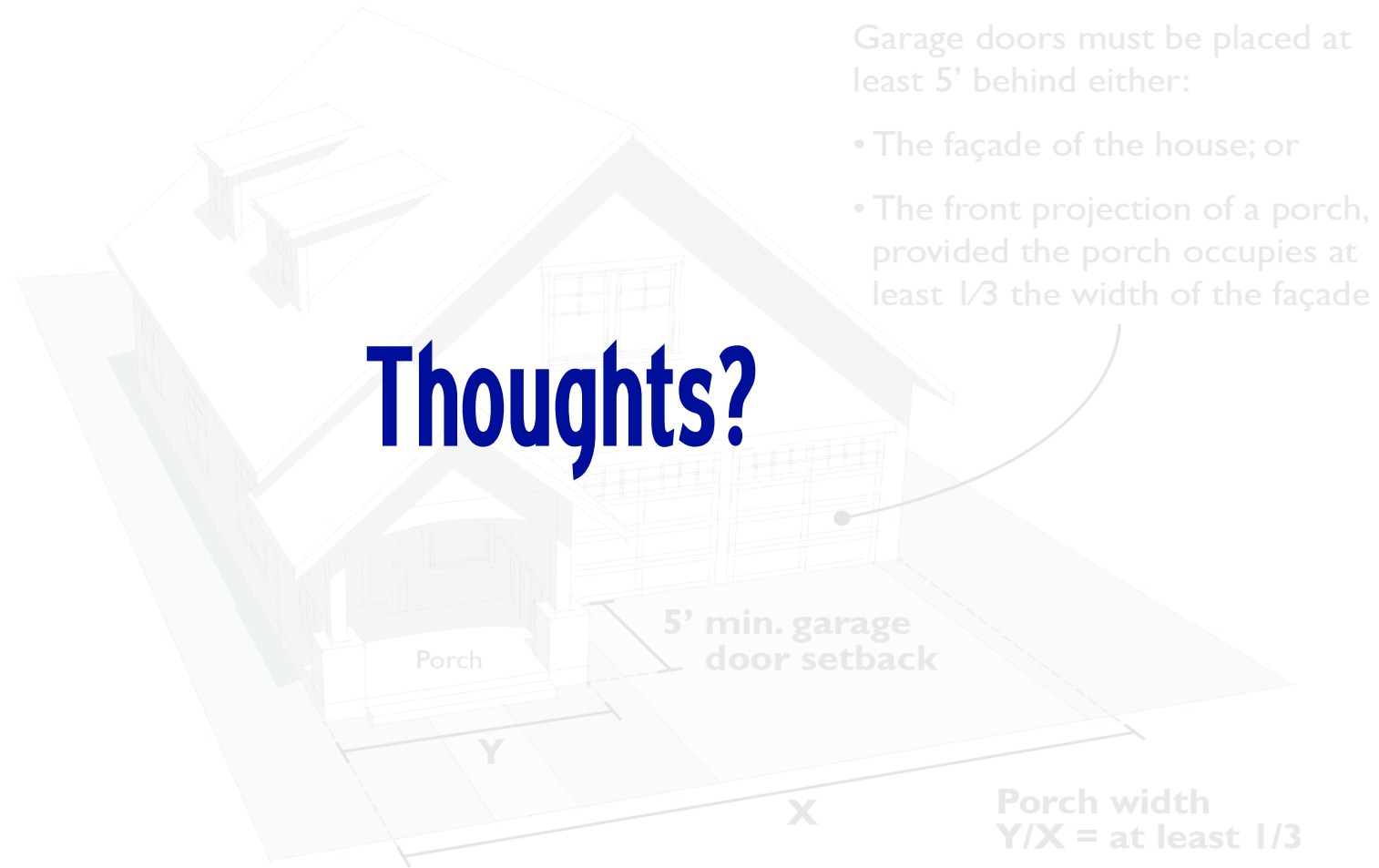
Google Earth

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5

Reconsider Garage Setback Provisions for Single Family, Duplexes

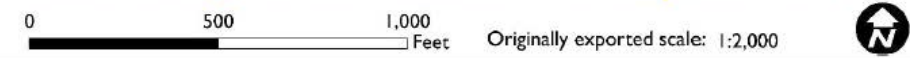




Title 19 Update.....Until Next Time

Figure 19.61.040(C)

Map 2: Block frontage designations map for central Commercial Avenue and Central Waterfront.









City Council Agenda Bill

Meeting Date: 4/29/2019

Agenda Item: 8a

Subject: Development Regulations Update – Division 4

Staff Contact: Don Measamer, Libby Grage

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

Action Type	
	Ordinance No. 3040
x	Code Revision?
	Resolution No.
	Contract
	Public Hearing
	Staff Report

Summary Statement: At the special Council meeting on April 29, 2019, Bob Bengford, Makers Architecture & Urban Design, and City staff will provide an overview of updated and new content proposed in **AMC Title 19 Division 4 – Zoning and Land Uses**, including topics previously identified by Council for further discussion.

The City Council (working) Draft (4/18/19) of the proposed development regulations is available on the [project website](#), along with other project documents and information.

Background: City Council is in the process of reviewing the Planning Commission recommendation for amendments to the City's development regulations, generally following the schedule below:

April 15, 2019 @ 5pm – Introduction

April 22, 2019 @ 5pm – Divisions 1-3

April 29, 2019 @ 5pm – Division 4

May 6, 2019 @ 5pm – Division 6

May 13, 2019 @ 5pm – Division 5

May 20, 2019 @ 5pm – Wrap-up, possible action

In 2016 the City began the process of updating the development regulations to implement the 2016 Comprehensive Plan. Planning Commission recommended approval of the proposed amendments, with a number of modifications, at their April 10, 2019 meeting.

Updates to existing provisions in AMC Title 16 Subdivisions and Title 17 Zoning are proposed, along with their integration into Title 19 Unified Development Code. Updates to existing provisions in Title 19 are also proposed, along with the addition of entirely new standards, including community and project design standards. The changes to the code and zoning map are intended to implement key goals and policies of the [2016 Comprehensive Plan](#).

Previous Council/Committee Action: Council authorized a contract (16-081-IDS-001) with MAKERS Architecture & Urban Design, LLP to assist with the updates on October 17, 2016. Contract modifications were executed on December 7, 2017, May 22, 2018, and December 27, 2018. City Council and Planning Commission held a joint meeting to discuss the proposed amendments on May 9, 2018.

Competing Viewpoints Considered: The City received 154 official written comment letters/emails throughout the update process, along with numerous spoken public comments at Planning Commission meetings. Community feedback has resulted in numerous recommended refinements to the draft code. Written public comments and project team responses can be viewed [here](#).

Recommended Motion: N/A, discussion only.

Alternative Actions: N/A

Attachments (listed in order presented):

Staff memo re: Division 4 (dated 4/24/19)

List of Departures



Planning, Community, & Economic Development Department

Don Measamer, Director

Memorandum

To: Anacortes City Council
Date: April 24, 2019
From: Development Regulations Update project team
Subject: Title 19 Unified Development Code:
Summary for Division 4 – Zoning & Land Uses

INTRODUCTION

The purpose of this document is to summarize key proposed changes and new content within Division 4 of Title 19, including guiding Comprehensive Plan goals and policies. Future reports will cover the remaining Divisions and will be provided prior to City Council meetings covering each Division.

Division 4 Zoning and Land Use was adopted under Ordinance 2992 in 2016. It set up content in Chapters 19.42 Uses and 19.44 Supplemental Use Criteria (including standards for accessory dwelling units, bed and breakfasts, and home occupations). In 2018, AMC 19.46 Affordable Housing Demonstration Program was added.

The proposed updates to Division 4 are intended to integrate into Title 19 the zoning and use provisions currently located in [AMC Title 17 Zoning](#), and include strategic updates to improve organization and usability, clarity, and new content to implement the 2016 Comprehensive Plan.

2016 COMPREHENSIVE PLAN GUIDANCE

The regulations contained in Division 4 Zoning and Land Use are essential to implementing many of the land use, community design, housing, and economic development goals in the [2016 Comprehensive Plan](#), including, but not limited to:

LU-1. Land Use Pattern. Establish a development pattern consistent with the community's vision.

LU-2. Community Design. Promote compatible pedestrian-oriented development that respects Anacortes's historic character and small town scale while strengthening its unique marine identity.

LU-6. Residential Uses. Preserve and enhance the quality, character and function of Anacortes's residential neighborhoods.

- LU-7. Downtown and South Commercial Avenue.** Enhance the character and economic vitality of Downtown and the South Commercial Avenue corridor.
- LU-8. Fidalgo Bay and Guemes Channel Waterfronts.** Maintain and enhance Anacortes's waterfront as a unique and irreplaceable environmental, economic, and recreational amenity for the city.
- LU-9. Industrial & Manufacturing Areas.** Maintain and promote active use of industrial lands.
- LU-11. Growth Management & Regional Coordination.** Emphasize compact growth to minimize sprawl and protect Anacortes's Community Forestlands.
- H-1. Housing Supply and Variety.** Provide for a sufficient quantity and variety of housing to meet community needs.
- H-2. Neighborhood Character.** Promote the stability and vitality of residential and mixed use neighborhoods.
- H-3. Housing Affordability.** Provide for a range of housing opportunities to address the needs of all economic segments of the community.
- ED-1. Balanced Economy.** Foster a balanced, diversified and sustainable local economy that contributes to Anacortes's high quality of life.
- ED-2. Retail & Commercial.** Enhance commercial businesses which serve the community's needs for goods and services.
- ED-3. Tourism.** Maintain and enhance year round opportunities for sustainable tourism in keeping with the Community's vision.
- ED-4. Manufacturing and Industrial.** Strengthen the marine trade economy and encourage other manufacturing and industrial opportunities.
- ED-7. Enhance Regulatory Predictability.** Streamline regulations and permitting.
- EC-13. Climate Change.** Anacortes should be a regional leader in mitigating and adapting to climate change.
- CF-1. Support Existing Development and Future Growth.** Provide capital facilities and public services necessary to support existing and new development envisioned in the land use element.
- CF-8. Essential Public Facilities.** Ensure that Essential Public Facilities are sited and designed in compliance with the State Growth Management Act.
- CF-9. Anacortes Airport.** Coordinate with the Port of Anacortes in planning activities associated with the airport.

KEY CONCEPTS, UPDATES & POLICY LINKS

Division 4 establishes zones, allowed and conditional uses, specific use definitions, supplemental use standards and form and intensity standards.

Division 4 Chapter Organization & Updates

Division 4 chapters are proposed to be updated and reorganized as follows:

Div./Ch.	Existing/Proposed Ch. Title	Ord. # or New	Other code location(s)	Proposed Updates Summary
19.40	<u>Zoning Zones</u>	2992 (Reserved)	17.12	See Chapter Summaries Below
19.41	<u>Allowed Uses</u>	New	17.15 – 17.39	
19.42	<u>Uses Form and Intensity Standards</u>	2992 New	17.15 – 17.39; 17.41	
19.43	<u>Residential Uses</u>	New	17.06	
19.44	<u>Supplement Use Criteria Commercial Uses</u>	2992 New	17.06; 17.63; 17.64	
19.45	<u>Industrial Uses</u>	New	17.06	
19.46	<u>Affordable Housing Demonstration Program Public, Institutional, & Open Uses</u>	3017 New	17.06; 17.49; 17.64	
19.47	<u>Accessory Uses & Structures</u>	New	17.48	
19.48	<u>Temporary Uses</u>	New	17.64	
19.49	<u>Nonconforming Uses & Structures</u>	2992	19.49	

Ch. 19.40 Zones

AMC Ch. 19.40 Zones updates and replaces [AMC Ch. 17.04 General Provisions](#) and [AMC Ch. 17.12 Zones, Maps and Boundaries](#).

Table LU-1 in the Comprehensive Plan provides direction to the implementing zones depicted and described in this chapter. Table LU-1 combined with the updated zone provisions herein are intended to provide greater guidance and predictability to the appropriateness of zone change proposals. Key proposed updates are:

- Designates the City's GIS zoning layer as the Official Zoning Map.
- Updates zoning map boundary interpretation rules.
- Adds a table organizing the zones into Residential, Mixed-Use, and Industrial categories. The overall categories are then referenced within applicability language throughout the Title 19 provisions to identify where certain site and building design provisions are required.
- Indicates appropriate locations for zoning designations (including Comprehensive Plan land use designations).
- Adds new zone designations and overlays that were established in the Comprehensive Plan (Marine Mixed Use, R2A, R3A, Old Town, and Live-Work, Medical, and Mixed-Use Business Overlays).
- Excludes the Commercial Marine 1 (CM1) designation, which is proposed to be removed as a zone designation.

Zoning map amendments are proposed in order to implement the [Comprehensive Plan Future Land Use Map](#). The Planning Commission's recommended zoning map amendments and a summary of each is provided in [Attachment 1](#).

Ch. 19.41 Allowed Uses

Proposed AMC Ch. 19.41 Allowed Uses reorganizes and updates the permitted uses for all zoning designations using a table format. Table LU-1 and the goals and policies of the Land Use Element of the Comprehensive Plan were used as parameters to craft the permitted uses in the various zoning districts.

The use charts were crafted to be as easy to read as possible. Keys to accomplish this include:

- Limit the number of uses in the chart by prioritizing common uses and umbrella terms and including good definitions (located in Chapters 19.43-48) for each use type.
- Including direct links to relevant standards for the applicable use and avoiding footnotes.
- Organizing the use charts by categories of uses in a logical manner.

Key proposed updates to permitted uses in residential, mixed-use, and industrial zones are discussed below. Guiding Comprehensive Plan policies are also identified, where applicable, along with clarifying comments and Planning Commission recommendations in red. In the table, "P" stands for "Permitted" and "C" stands for "Conditional".

Table 19.41.040 - Residential Zones

Summary of updates	Key Comp. Plan Policies	Comments /PC recommendations in red
Residential Use Types		
New small lot, single family (<5,000 sq. ft. lots) type added as P to R3, R3A	LU-6.1.B; H-1.3	
New cottage housing type added as P in all residential zones except OT and R1	LU-6.1.C; H-1.3	Cottage housing was initially proposed as an allowed use in R1. PC recommended removal based on public input and concerns about the context and character of the district.
Duplexes changed from C to P in R2A	LU-6.1.D; H-1.3	
Triplex/Fourplex/Townhouse added as Permitted use to R3A	LU-6.1.E; H-1.3	
Assisted living changed from C to P in the R4 zone	LU-6.1.F H-4.1; H-4.2	
Commercial Use Types		
Daycare 1 facilities added as P in most zones. Daycare facilities II added as C in medium and high density zones	LU-6.5; ED-2.8	RCW 36.70A.450 states that the city may not prohibit family day-cares in residential dwellings. Enhances potential options for conveniently located childcare facilities for residents.

Summary of updates	Key Comp. Plan Policies	Comments /PC recommendations in red
Medical (clinics) changed from P to not permitted in high density zones (R4, R4A)	LU-6.5; ED-2.8	Initially clinics were proposed to be changed to C; however, ultimately PC recommended eliminating them as an allowed use in R4 and R4A to ensure those zones are used consistent with their purpose (to provide for high density residential uses). Existing clinics that have been established in R4 zones under existing provisions of the code would become nonconforming uses, subject to the standards for nonconforming uses in 19.49.
Beauty salons and mortuaries changed from P to C in high density zones	LU-6.5; ED-2.8;	C review process will allow review of and mitigation of potential impacts on residential uses.
Parking as a principal use (to support a public facility only) added as C to all residential zones	PR-2.2	The intent is to allow improved parking facilities to serve trails through a public process.
Public, Institutional & Open Use Types		
Nurseries changed from P to C in R1	LU-6.2; LU-6.5 ED-2.8;	C review process will allow review of and mitigation of potential impacts on residential uses.
Civic uses added as new use type, includes schools, religious institutions, etc. Permit process depends on size; addition of supplemental use standards address facility impacts.	LU-6.5; ED-2.8;	

Table 19.41.050 - Mixed-Use & Industrial Zones

Summary of updates	Key Comp. Plan Policies	Comments/ PC recommendations in red
Residential Use Types		
Add townhouse and multi-family (on ground floor) housing types to CBD, C and MMU (with certain limits), except on storefront streets and South Commercial Avenue	Table LU-1; LU-6.1.E; LU-6.1.G ED-2.5; ED-2.9.; ED-1.10	
Add live/work units as P in C, CBD, MMU, MS	LU-6.1.H; ED-4.6	
Add assisted living as P/C in CBD, C and MMU, except on storefront streets	LU-6.1.F; H-4.2; ED-2.9	
Commercial Use Types		
Add daycare II facilities as P to most mixed-use and the LM1 zones	ED-1.9	Increases potential siting locations for childcare facilities throughout the community.
Medical use (except hospital) permissions in CBD, C and MMU zones based on gross floor area (<10,000 GFA is P; 10,000-20,000 GFA is C)	Table LU-2, ED-2.14 ED-5.4	
Change primary use parking to C in the CBD	LU-7.1	CUP provides opportunity to review and condition a proposal to recognize special characteristics of the CBD and achieve compatibility with the surrounding neighborhood.
Change office uses from conditional to permitted use in the CM2 and LM1 zone and add a limitation that no more than 50% of the ground level of buildings in the CM2 zone may be occupied by office uses	LU-8.3; LU-9.4	Provision adds more flexibility to uses in the LM1 and CM2 zones while placing a strategic limitation in the CM2 zone that ensures that other permitted uses are encouraged there.
Add new term and definitions for indoor and outdoor animal care		Doggy daycare and similar uses are not currently well-addressed in the existing code. New special standards will help to address potential impacts of such business on surrounding areas.
Add a size threshold (10,000 net floor area) for C vs. P for indoor recreation		

Summary of updates	Key Comp. Plan Policies	Comments/ PC recommendations in red
Add “food truck” as a use type; permitted in all zones, subject to special standards		
Retail sales – updated size thresholds for P vs. C permissions	Table LU-1; ED-2.2; ED-2.3; ED-2.10; LU-7.1	According to the Retail KT Analysis Report (4/6/16), the City’s preferred retail alternatives include 1.) a variety of small specialty retailers and 2.) a mercantile within the CBD, MJB North/CM1 or South Commercial Ave. locations. Mercantiles are typically up to 25,000 sq. ft. in size.
Add retail sales <5,000 sf as a P in HM and LM1 at SR20/major intersections	LU-9.4	Allows more variety of supportive uses without detracting from CBD
Marijuana, retail sales – add as permitted in Commercial zone east of Sharpe’s Corner roundabout		Recognizes current allowed uses and existing businesses that have located under the existing LM1 zoning.
Industrial Use Types		
Marijuana, processing – add as permitted in Commercial zone east of Sharpe’s Corner roundabout		Recognizes current allowed uses and existing businesses that have located under the existing LM1 zoning.
Added artisan manufacturing as a P in all zones	ED-1.9	
Public, Institutional & Open Use Types		
Marijuana, production – add as permitted in Commercial zone east of Sharpe’s Corner roundabout		Recognizes current allowed uses and existing businesses that have located under the existing LM1 zoning.
Minor and Major Utilities added as P and C, respectively, in all zones.		

19.41.060 - .080 Standards for Zones not included in tables

Permitted uses and special standards for the Public and Aeronautical zones, and Medical, Live-Work, and Mixed-Use Business overlays are included separately after the permitted use tables due to limited space in the tables and since they include a more limited range of permitted uses and special standards.

19.41.090 – Overlay Zones

The following overlay zones are supported by Table LU-2 in the Comprehensive Plan:

- A. Medical Overlay allows medical (including hospitals) and group living uses by right, where such uses are generally conditionally permitted in the base zoning districts.

- B. Live-work Overlay allows for general service, office, and personal service uses only if they are contained within a live-work dwelling, as defined. Such non-residential uses may only contain up to 50% of the floor area of such dwellings and must meet the design standards for the particular dwelling type.
- C. Mixed-Use Business Overlay allows for certain non-residential uses (as primary uses) in addition to the permitted uses by the base zone.

Ch. 19.42 Form and Intensity Standards Concepts

Proposed AMC Ch. 19.42 Form and Intensity reorganizes and updates the corresponding standards for each zone currently located in applicable chapters of the current [AMC Title 17 Zoning](#). Table LU-1 and the goals and policies of the Land Use Element of the Comprehensive Plan were used as parameters to craft the form and intensity standards in the various zoning districts.

Some of the concepts listed below were proposed as part of the 1st and 2nd Drafts; however, were removed from consideration in the 3rd and subsequent drafts based on Planning Commission recommendations. Those items are in **red**, and are included here to provide City Council additional background.

Table 19.42.020 – Form and intensity standard for residential zones

Measure / Summary of Updates	Key Comp. Plan Policies (see below)	Comments/ PC recommendations in red
Lot Size & Development Intensity		
Reduce minimum lot size for SFRs in R2 and R3 (Implemented by R2A & R3A zones)	LU-1.2; Table LU-1; LU-6.1.B	Specific guidance for this action is provided in Comp. Plan
Retain minimum lot size for duplexes in all zones	LU-1.2; Table LU-1	Min. lot size for duplexes maintained to ensure predominate dwelling type remains single family detached in low and medium density residential zones.
Eliminate minimum lot size / unit beyond a duplex in R4 zone	H-1.6	Identified as a barrier to achieving higher density in appropriate areas.
Add a minimum width circle in all zones	LU-11.2	Concept provides predictable method for ensuring minimum buildable area.
Eliminate maximum density in R3 and R4	Table LU-1; H-1.6; ED-2.9	The R3 minimum lot size of 4,500 sf is consistent with the R3 density range of 7-12 du/gr. acre. In R4, max. density was identified as a barrier to achieving higher density in appropriate areas.
Establish criteria for density bonus in R1 (Not retained by PC)	LU-1.2; Table LU-1	New density bonus provisions were proposed to provide clear, objective criteria to achieve increased density in R1. Ultimately, the PC recommended removing these provisions in favor of a separate focused

Measure / Summary of Updates	Key Comp. Plan Policies (see below)	Comments/ PC recommendations in red
Add a max. floor area ratio (FAR) in all zones (0.40 – 1.20) (Not retained by PC)	LU-6.3; H-2.1; H-2.2	A new floor area ratio was initially proposed for residential development to help maintain character of surrounding neighborhoods. FAR would have replaced max. lot/building footprint coverage (35-50%) and limited overall building size to remain proportionate to the lot Ultimately, PC recommended not proceeding with floor area ratio in residential zones due to complexity of administration and unclear benefits. Instead, they recommended retaining the existing maximum lot/building coverage provisions.
Increase min. % landscaped area in all zones (25% - 50%) (Not retained by PC)	LU-4.2	In conjunction with establishing a max. FAR, increasing the landscape percentage was proposed initially to ensure more pervious areas as compared to current combo max. lot coverage (35-50%) and min. landscaping area (20%). Ultimately, PC recommended maintaining existing landscaping percentages for all zones.
Height – Principal Structures		
Adjust the maximum height and measurement method for all zones (Not retained by PC)	LU-6.3; H-2.1; H-2.2	Initially, a new measurement method for building height (mid-point of sloped roof) was proposed in conjunction with an overall height reduction to encourage compatible infill development. Ultimately, PC recommending maintaining the existing method for measuring height and the existing maximum base heights in residential zones.
Expand and update bonus height allowance in R4 zone		AMC 19.46 Affordable Housing Demonstration Program currently provides for bonus height (max. 50' in a portion of the R4A zone) in exchange for integration of affordable rental units meeting certain criteria. The proposed updates replace those provisions and apply to the R4 zone. See discussion under 19.42.040 - .080 Bonus Incentives, below.
Setbacks		
Add new garage street setback in all zones (20'-25') (Not retained by PC)	LU-6.1.B; LU-6.3; H-2.1	Initially, this provision was proposed to encourage more pedestrian-oriented design by de-emphasizing garage and ensuring adequate space for parking vehicles without encroaching into sidewalk or street (currently

Measure / Summary of Updates	Key Comp. Plan Policies (see below)	Comments/ PC recommendations in red
		a garage on a side/flanking street requires only a 10' setback). Ultimately, PC recommending maintaining the existing setbacks for garages.
Reduce 1 st floor interior side setback (both sides) to 5' in all zones (except R1)		Allows more flexibility for 1 st floor location on a lot.
Add 7.5' interior side setback (both sides) for 2 nd floor and above in all zones (except R1)	LU-6; H-2.1; H-2.2	Since current min. side setback is min. 15' combined for R2 and R3 zones, this is a minor change that should help with compatibility.

Table 19.42.030 Form and intensity standards for mixed-use & industrial Zones

Measure / Summary of Updates	Key Comp. Plan Policies (see below)	Comments
Lot Size & Development Intensity		
Remove max. lot coverage for all zones	H-1.5; H-1.6	Maximum lot coverage provisions can be inflexible and encourage surface parking. New project design standards are intended to promote development consistent with Anacortes's desired character.
Remove density maximum for all zones	H-1.6; ED-2.5; ED-2.9	
Add density minimum for CBD, C and MMU zones	Table LU-1: C, CBD, MMU designations; ED-2.5; ED-2.9	
Add a min. 10% landscaped area for all zones.		The minimum 10% was added to guarantee a minimum amount
Remove max. floor area ratio from CM2		New project design standards are intended to promote development consistent with Anacortes's desired character.
Height – Principal Structures		
Establish max. 45' base height max. for MMU (east of Q Ave.)		
Establish max. 35' base height max. for MMU (west of Q Ave.)		
Allow height increase with bonus in some zones	ED-7.5	There was significant PC and public discussion regarding increased building height in the

Measure / Summary of Updates	Key Comp. Plan Policies (see below)	Comments
		C/CBD/MMU zones. See discussion under 19.42.040 - .080 Bonus Incentives, below.
Add height modifications for a certain portion of Island Hospital campus to 60'	Table LU-2 Overlay Designations; ED-5.4	
Setbacks		
New block frontage designations dictate min. setback requirements	LU-7.1	

19.42.040 - .080 Bonus Incentives

Several zones allow new opportunities for height or density bonuses based on Comprehensive Plan guidance.

Zone	Bonus Available	Criteria	Key Comp Plan Policies	Comments/ PC recommendations in red
R1	Reduced lot size, density increase from 2 to 4 du/gross acre (not retained by PC)	Increased common open space area must be provided	Table LU-1; H-1.8	PC recommended removal based on public input and concerns about the context and character of the district.
R4	Increased building height	Affordable dwelling units or size-restricted units must be integrated into the development	LU-6.6; LU-8.4; H-3.6	In the R4 zone, the initial proposal was to allow increased height up to 50' to be achieved via affordable housing requirements. Based on public comments received, the PC recommended adding an option to obtain the applicable bonus height via integrating a percentage of size-restricted units.
CBD & C	Increased building height	None		Initially, the proposal allowed for building height increases only when affordable units were integrated into a development. Ultimately, based on public comments received, the PC decided to recommend allowing by-right 65' in CBD and 50' in the C zone (without the need to comply with affordable housing provisions).

Zone	Bonus Available	Criteria	Key Comp Plan Policies	Comments/ PC recommendations in red
MMU (west of Q Ave)	Increased building height	CUP and view impact analysis		
MMU (east of Q Ave.)	Increased building height	Bonus incentive menu of options		The PC recommended adjustments, based on public comments and discussion, to adjust the bonus options and applicable design criteria for several options.
CM	Increased building height	For buildings with residential uses, affordable dwelling units must be integrated into the development; For buildings without residential uses, a CUP is required along with a view impact analysis	LU-6.6; H-3.6	
CM2, LM, I	Increased building height	CUP and view impact analysis		The PC ultimately recommended, based on public comments and discussion, allowing the applicable increased height in these districts by right (without the CUP), except for in the LM zone adjacent to Guemes Channel (where a CUP is still required) .

19.42.100 - .160 Form and Intensity Measurement Methods and Modifications

New content has been added here to support determining conformance with form and intensity standards and to provide for exceptions or modifications to standards in support of Comprehensive Plan policies.

1. New minimum lot area calculation method. The proposed approach uses a minimum lot width circle to ensure that the lot is shaped to provide a minimum building envelope that is consistent with the purpose of the particular zone. This approach has been successfully used in multiple other cities.
2. New density calculation methods for minimum and maximum. The provisions here add important clarifications as to how densities are calculated.

3. New setback measurement methods for different types of lots. Clarifications have been added to determine how the various setbacks are measured on a range of lot types.
4. New permitted projections into required setbacks. Clarifications have been added to allow certain projections into setbacks.
5. Setback modifications. Clarifications have been added to allow certain modifications setbacks.

Ch. 19.43 Residential Uses

An important feature of the new Title 4 organization is that all uses referenced in the permitted use tables are also defined in Chapters 19.43 – 19.45. These chapters include supplemental use standards, where applicable. Some of the key updates related to residential uses include:

1. **Small-lot single family and cottage housing.** Definitions and standards for small lot single-family and cottage housing types are added, with the purpose of providing for infill opportunities and greater choice in home size while promoting compatibility with existing neighborhoods, enhancing the streetscape, and providing usable open space for residents. *Based on public comments and discussion, the PC recommended a number of adjustments to the cottage housing standards. This includes allowing duplex cottages in some zones, clarifying the standards, adjusting setbacks, orientation standards, and open space requirements, and adjusting departure opportunities.*
2. **Duplexes and triplexes.** New definitions and standards are added for duplexes and triplexes. The units must be attached as a single building and are subject to the small-lot design standards, intended to promote compatibility with surrounding neighborhoods, enhance the streetscape and provide usable open space for residents. *Based on public comments, discussions, and internal consistency issues, the PC recommended adjustments to the usable open space requirements and driveway standards.*
3. **Fourplexes.** A new definition and standards are added requiring the units to be contained in one building and referencing site and building design standards for multifamily development in AMC 19.62 and 19.63. *The PC ultimately removed the term “fourplex” from the code altogether as it was determined to be unnecessary (note in the use charts the draft note uses different line items for multifamily, 4 units, and multifamily, 5 or more units).*
4. **Townhouses.** A new definition is added, and design standards included addressing entry design, façade transparency, garages, access and parking, usable open space, and building design requirements such articulation. *The PC recommended a number of standards adjustments and clarifications associated with the townhouse standards in certain zones (including use limitations in the MMU zones) and for some setbacks, garage, and driveway standards.*
5. **Multi-family.** Reference to design standards in Division 6, including block frontage standards, site planning, building design and landscaping. Zone-specific standards are also included here – such as limitations in the MMU, CM and MS zones. *The PC recommended some adjustments to the zone-specific standards, including the MMU zone.*

6. **Multi-family, age restricted.** A new definition is added to correspond with the reduced parking requirements proposed in AMC 19.64.
7. **New live-work standards.** New standards for live-work units are added per the guidance in the Comprehensive Plan. Live-work units would be permitted in residential zones only in areas where the Live-Work Overlay designation has been applied. **The PC recommended some adjustments and clarifications to the use/design standards for such units based on project team recommendations.**
8. **New assisted living definition.** The definition for assisted living is proposed to be changed to be consistent with the state definition. Assisted living facilities are proposed to be allowed by Conditional Use Permit in R3, R3A and R4A, and by right in R4A. Such facilities would be subject to the residential form and intensity standards for the zone.

Ch. 19.44 Commercial Uses

- New organization with definitions and supplement standards. The updated approach uses broad use categories of uses with similar characteristics and impacts. Where some uses include unique use permissions, those uses are specifically defined. Also, certain uses also feature special standards that may apply to certain or all applicable zones.

Ch. 19.45 Industrial Uses

- New organization with definitions and supplemental standards. The updated approach uses broad use categories of uses with similar characteristics and impacts. Where some uses include unique use permissions, those uses are specifically defined. Also, certain uses also feature special standards that may apply to certain or all applicable zones.

Ch. 19.46 Public, Institutional, & Open Space Uses

- New organization with definitions and supplemental standards. The updated approach uses broad use categories of uses with similar characteristics and impacts. Where some uses include unique use permissions, those uses are specifically defined. Also, certain uses also feature special standards that may apply to certain or all applicable zones.

Ch. 19.47 Accessory Uses & Structures

- New organization with definitions and supplemental standards. Considerable updates have been made from the current code to clarify form and intensity standards for accessory structures.
- Updated provisions for accessory dwelling units per the guidance of the Comprehensive Plan. **The PC recommended some adjustments and clarifications to the ADU standards such as allowed increase in height for detached ADUs based on roof pitch, and adding flexibility to the owner-occupancy requirements.**

Ch. 19.48 Temporary Uses

- New organization with definitions and supplemental standards. New standards for temporary events/uses of minimal duration and produce stands are added.

Ch. 19.49 Nonconforming Uses & Structures

- Nonconforming uses and structures was substantially amended under Ordinance 2992, effective January 2017. The current updates propose that routine maintenance and cosmetic changes, changes to improve energy efficiency and to address unsafe conditions would not be considered alterations or subject to the nonconforming provisions of the code.

ATTACHMENT 1: ZONING MAP AMENDMENTS

Background

Under the Growth Management Act, the City is required to have a map in the Comprehensive Plan ([Future Land Use Map or FLUM](#)) and a map in the zoning code ([Official Zoning Map](#)) that designate various land uses for its urban growth area and city limits. The FLUM depicts the long-term vision of how and where the city will grow and change over the next 20 years and provides the basis for applying zoning designations.

The Official Zoning Map indicates how land can be used and what can be built on any given property today. Zones are more specific than future land use designations and come with a set of rules (included in the City's development regulations) that clarify what uses are allowed, and how property and buildings may be developed or changed.

Amendments to the FLUM were adopted as part of the 2016 Comprehensive Plan Update. The amendments included establishment of a new designations (Marine Mixed Use and several overlays) and changes to the designation of certain areas. Additionally, Figure LU-3 of the 2016 Comprehensive Plan documents the specific direction for future zoning and map amendments that were considered during the environmental review and public process preceding the final adoption of the 2016 Comprehensive Plan.

Amendments to the City's Official Zoning Map are proposed in order to implement the FLUM and other goals and policies of the Comprehensive Plan.

2016 Comprehensive Plan Guidance

Comprehensive Plan Goals and Policies directing the proposed amendments to the Official Zoning Map include the following:

Goal LU-1. Land Use Pattern. Establish a development pattern consistent with the community's vision.

Policy LU-1.1. Designate the general distribution, location and extent of the uses of land for housing, commerce, recreation, open spaces, public utilities and facilities, and other land uses.

Policy LU-1.2. Establish land use designations, densities and intensities as shown in Table LU-1.1.

Policy LU-1.3. Manage and maintain the City's Official Zoning Map to ensure continued consistency with the Future Land Use Map (see Figure LU-1).

Policy LU-1.4. Implement land use designations through a clear regulatory process that ensures transparency, fairness, and predictability in the land development process.

Summary of Zoning Map Amendments

Below is a summary of the proposed amendments to the Official Zoning Map, including key Comprehensive Plan direction and staff comments. The numbers in the left hand column correspond to each area numbered/ labeled on the map ("Zoning Map Amendments Recommended by the Planning Commission").

Summary of Zoning Map Amendments

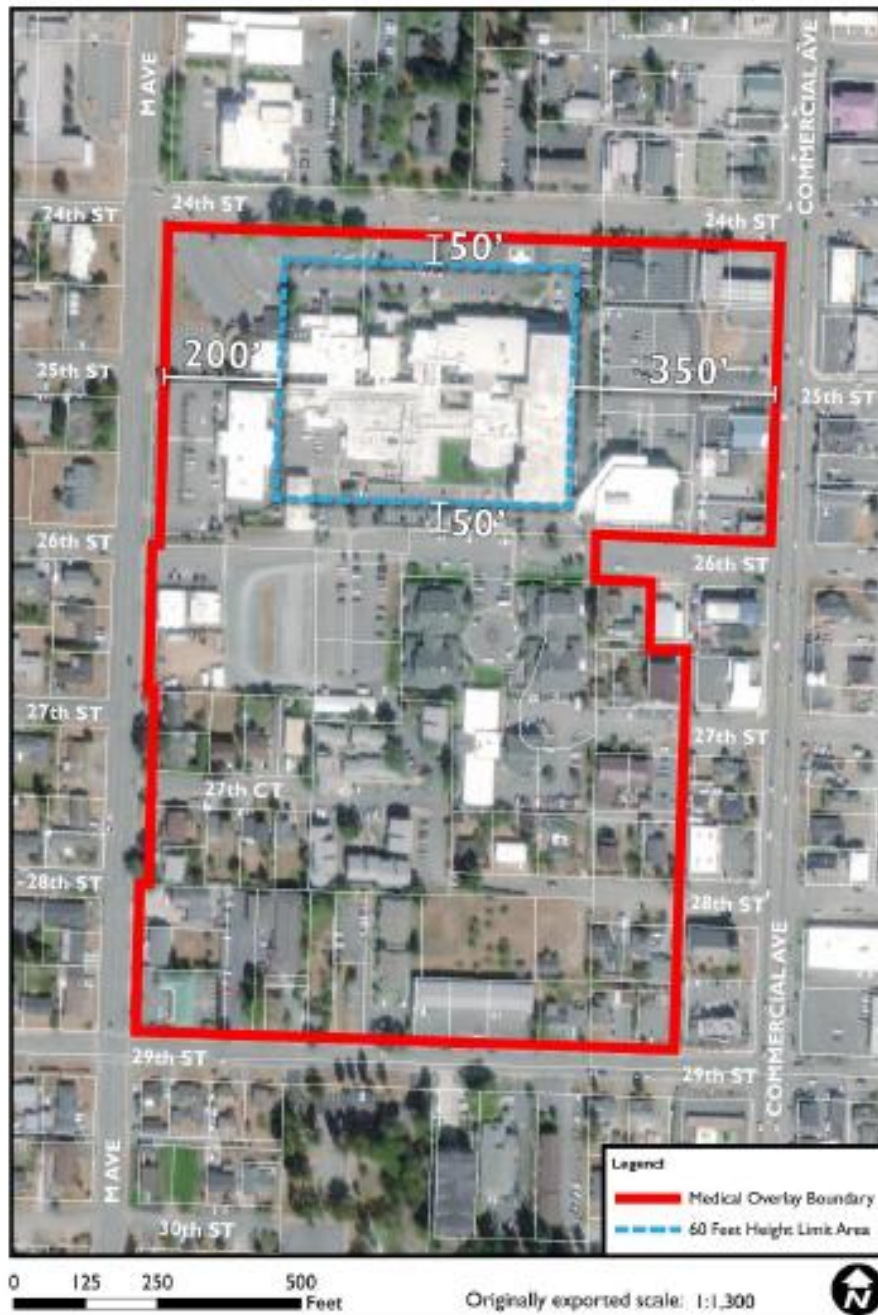
Map #	Area Description	Rezone Action	Key Comprehensive Plan Direction & Policies	Comments
1	Skyline Marina	CM to MMU	FLUM land use designation is Marine Mixed Use (MMU).	Implements FLUM.
2	South Ferry Terminal Rd.	CM to MMU	FLUM land use designation is MMU.	Implements FLUM.
3	San Juan Passage / Portalis area	CM to R2	FLUM land use designation is Residential Low Density 2 (RLD-2).	Implements FLUM.
4	R2 area east of Anacopper Mine Rd., except area generally south of West 6 th St., between Airport and Little Cranberry ACFL	R2 to R2A	FLUM land use designation is RLD-2. Table LU-1 RLD-2 category includes special topics to explore: "Explore option for 6,000 sf lots where compatible with existing development (east of Anacopper Mine Rd.)." R2A is included as an implementing zoning designation.	Much of the R2 area east of Anacopper Mine Rd. consists of platted 3,000 sq. ft. lots that have been combined to equal 7,500 sq. ft. and developed with SFRs. The modest reduction in lot size to 6,000 sf (via rezone to R2A) would allow for increased infill opportunities where undeveloped blocks remain or where larger partially developed lots exist. Areas are within closer proximity to commercial services. Based on public comment and unique physical constraints of the area generally south of West 6th St., between the Airport and Little Cranberry ACFL, Planning Commission recommended retaining the area's current R2 designation.
5	Old Town	R3/Old Town Overlay to OT	FLUM land use designation is Old Town (OT).	Implements FLUM.
6	Cap Sante	R2 to R2A	FLUM land use designation is RLD2. Table LU-1 RLD-2 category includes special topics to explore: "Explore option for 6,000 sf lots where compatible with existing development." R2A is included as an implementing zoning designation.	Implements FLUM.
7	Central Fidalgo Bay	CM1 to MMU	FLUM land use designation is MMU.	Implements FLUM.
8	Hospital area	Add Medical Overlay (MED-O)	FLUM land use designation is Residential High Density (RHD) with Medical Overlay (MED-O). Table LU-2. Medical Overlay special topics to explore: Refine overlay boundary, use provisions, and height provisions.	The Planning Commission recommended a boundary for the Medical Overlay as shown at the end of this table.

Map #	Area Description	Rezone Action	Key Comprehensive Plan Direction & Policies	Comments
9	R4A hospital area	R4A to R4	FLUM land use designation is RHD.	Implements FLUM.
10	R4B zone	R4B to R4	FLUM land use designation is RHD; R4B is eliminated as an implementing zone.	Implements FLUM.
11	Beale's Maple Grove Addition area	R3 to R4 with Live-Work Overlay	FLUM land use designation is RHD with Live-Work Overlay.	Implements FLUM.
12	Sharpe's Corner business park	LM1 to R4 with Mixed Use Business Overlay	FLUM land use designation is RHD with Mixed Use Business Overlay (MUB-O).	Implements FLUM.
13	SR20/SR20 Spur intersection	LM1 to C	FLUM land use designation is Commercial (C).	Implements FLUM.
14	Former Wyman Marina	CM1 to CM	FLUM land use designation is Commercial Marine (CM).	This site would be the only remaining CM1 zoned area in the City if not rezoned to CM. Half of the area has been converted to an aquatic mitigation site, and the remaining area includes a restaurant building and drop-frame barge-loading facility/ramp.

PC Recommended Medical Overlay Boundary

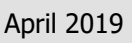
Figure 19.42.140(C)(5)

MED-O boundary and 60 feet height limit area.



CM1 to CM
14

R2 to R2A
6





THIRD DRAFT CODE DEPARTURES LIST

Original: June 15, 2018

Updated: February 21, 2019

Changes to code numbering and departures added since the original list are **highlighted in yellow**. Departures since removed are not shown.

At the joint Planning Commission/City Council meeting on May 9, 2018, MAKERS was requested to provide a list of all departure opportunities in the second draft of the Anacortes Development Regulations.

This list is provided in the table below. The table references the code section and relevant title, the standard, and the criteria for departing from the standard. For brevity some text may be paraphrased; please reference the code section for the complete context.

All departures are voluntary options for applicants. When the applicant requests a departure the provisions for review, approval, and documentation are provided under AMC 19.50.250. The purpose of departures is to provide applicants with the option of proposing alternative design treatments provided such departures meet the “purpose” of the particular standard and any additional departure criteria set forth for the particular departure opportunity. Departures are a good tool to offer flexibility while giving staff the ability to say “no” if the design solution doesn’t meet the purpose.

Reference	Standard	Departure Criteria
Chapter 19.42 - Form and Intensity Standards		
19.42.120(C)(5) Building height modifications	Maximum north-south width of buildings in the MMU district. Buildings 1-4 stories tall are limited to 200 feet width. Buildings 5 stories or more are limited to 150 feet width.	Buildings may be wider provided site and building design features are included to reduce the perceived scale of such buildings, add visual interest, and enhance east-west pedestrian access and marine views.
Chapter 19.43 - Residential Uses		
19.43.010(D)(3)(I)(vi) Cottage housing garage design	Garages with a footprint of up to 300 square feet may be attached to individual cottages and must not be located adjacent to the common open spaces.	Garages may have a different relationship to common open space if the common open space design, garage location and design, and landscaping/architectural design features help to create a common open space that meets the purposes of the standards and the design mitigates the impact of the garages on the common open space.

Reference	Standard	Departure Criteria
Chapter 19.46 - Public, Institutional & Open Space Uses		
19.46.020(B)(2) Civic use standards	Civic uses are subject to the building design standards in AMC Chapter 19.63.	Departures to applicable building design standards will be considered provided alternative design treatments meet the purpose of the standards. The director may also exempt buildings not visible from the street
Chapter 19.53 - Private Driveways & Access		
19.53.050(C) Pedestrian circulation internal to cottage, townhouse, and multifamily developments	Sidewalks must be included on internal shared access drives, must be curbed and raised six inches with a minimum clear width of five feet, must be separated from structures with at least three feet of landscaping, and crosswalks must be provided when crossing vehicular paths.	Departures will be considered for alternative pedestrian circulation designs that provide an equivalent level of pedestrian safety and comfort. For example, a curbless woonerf (shared street) with special pavement, landscaping, bollards, and other design features may adequately calm traffic speeds and movements.
Chapter 19.54 - Subdivision Design & Block Structure		
19.54.020(B) Block design and connectivity standards	Blocks in new residential developments must be designed to provide pedestrian and vehicular connections at intervals no greater than 660 feet.	Departures will be considered provided the alternative design meets the purposes of the standards and meets the following criteria: - A departure provides the opportunity for a public open space or other public amenity that goes well beyond minimum standards herein. For example, a larger block could allow for the development of a compact village of homes around a centralized open space; and - Departures meeting criteria set forth in paragraph (a) allow configurations with pedestrian and vehicular connections at intervals greater than 660 feet, but no greater than 1,000 feet, except when the following conditions are present: Where topography, right-of-way, existing construction or physical conditions, or other geographic conditions prevent compliance or impose an unusual hardship on the applicant, the reviewing authority

Reference	Standard	Departure Criteria
		must relax the standards provided the proposed design maximizes pedestrian and vehicular connectivity on the site given the constraints.
Chapter 19.61 - Block Frontage Standards		
Table 19.61.060(B) Storefront block frontage standards	Retail space depth: 50' minimum	Departures from this standard are not allowed in the CBD zone. Reduced depths will be considered where the applicant can successfully demonstrate the proposed alternative design and configuration of the space is viable for a variety of permitted retail uses.
	Façade transparency: At least 70% of the storefront transparency zone	Façade transparency in the transparency zone may be a minimum of 40 percent if the façade design between ground level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.
	Weather protection: Weather protection over the sidewalk is required along at least 75% of the storefront façade, and it must be a minimum of 6' deep and have 8' to 15' of vertical clearance	Other proposed alternative design treatments must provide equivalent weather protection benefits.
	Parking location and vehicle access: New surface parking adjacent to the street is prohibited.	Departures from this standard are not allowed in the CBD zone. There must be an acceptable tradeoff in terms of the amount and quality of storefront area that is integrated with the development and the applicable parking location departure. In addition, the alternative must include design features to successfully mitigate the visual impact of additional parking areas along designated storefront streets.
	Parking location and vehicle access: Vehicular access for surface or structured parking from a storefront street is prohibited.	
	Sidewalk width: 12' minimum between the curb edge and the storefront façade (including clear/buffer zone with street trees).	Alternative designs may be considered where topographical challenges or approved city streetscape plans with different sidewalk standards exist. Alternative designs must be able to accommodate safe and comfortable pedestrian traffic anticipated for full block development.

Reference	Standard	Departure Criteria
Table 19.61.070(B) Landscaped block frontage standards	Building entrances: At least one building entry must be visible from the sidewalk.	Block frontages with environmental constraints and/or those facing busy arterial streets and minor pedestrian traffic may warrant some flexibility to this standard (particularly in residential zones).
	Façade transparency: For buildings designed with ground level non-residential uses, at least 25% of the ground floor between 4'-8' above the sidewalk	Façade transparency in the transparency zone may be reduced from the minimum by 50 percent if the façade design between ground level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.
	Façade transparency: Transparent window area must be provided along at least 15% of the facade of the building.	
	Parking location and vehicle access: Parking must be located to the side or rear of buildings. For multi-building developments, no more than 50% of the lot frontage can be occupied by off-street parking and driveways.	Corner lots and unusual lot shapes warrant some flexibility to the standards herein provided design treatments are included that minimize visual impacts of parking areas on the streetscape.
Table 19.61.080(B) Mixed block frontage standards	Building placement: The minimum setback for buildings that do not meet applicable storefront block frontage standards is 10' or greater where specified for the applicable zone in AMC Chapter 19.42 Form and Intensity Standards.	Provide design treatments that create an effective transition between the public and private realm. For example, a stoop design or other similar treatments that utilize a low fence, retaining wall, and/or hedge along the sidewalk may provide an effective transition.
	Façade transparency: Storefront buildings are subject to storefront block frontage transparency standards. For other building frontages, transparent windows must be provided along at least 15% of the facade of the building, plus: Buildings designed with ground floor non-residential uses within 10' of sidewalk, must feature at least 40% transparency within the transparency zone.	Façade transparency in the transparency zone may be reduced from the minimum by 50 percent if the façade design between ground level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.

Reference	Standard	Departure Criteria
	Buildings designed with ground floor non-residential uses within 20' of sidewalk, must feature at least 25% transparency within the transparency zone.	
Table 19.61.090(B) Marine block frontage standards	Building placement: The minimum setback for buildings that do not meet applicable storefront block frontage standards is 10' or greater where specified for the applicable zone in AMC Chapter 19.42 Form and Intensity Standards.	Provide design treatments that create an effective transition between the public and private realm. For example, a stoop design or other similar treatments that utilize a low fence, retaining wall, and/or hedge along the sidewalk may provide an effective transition.
	Façade transparency: Storefront buildings are subject to storefront block frontage transparency standards. For other building frontages, transparent windows must be provided along at least 15% of the facade of the building (all vertical surfaces of the facade), plus: Buildings designed with ground floor non-residential uses within 10' of sidewalk, must feature at least 40% transparency within the transparency zone. Buildings designed with ground floor non-residential uses within 20' of sidewalk, must feature at least 25% transparency within the transparency zone.	Façade transparency in the transparency zone may be reduced from the minimum by 50 percent if the façade design between ground level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.
	Parking location and vehicle access: Developments are subject to storefront or landscaped parking location standards depending on the chosen frontage type.	Parking areas may be located in the front where design measures are included (above and beyond base standards) to mitigate visual impacts of parking areas along the street and where it can be demonstrated that there is an acceptable tradeoff of public benefits associated with the proposed building and parking lot location. Examples include distinctive landscape design integrating a decorative low fence or trellis.

Reference	Standard	Departure Criteria
Table 19.61.100(B) Gateway block frontage standards	Façade transparency: For all buildings with less than 25' setback, transparent window area must be provided along at least 15% of the facade of the building. Marijuana uses and adult concession uses are exempt from this requirement.	Façade transparency in the transparency zone may be reduced from the minimum by 50 percent if the façade design between ground level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.
	Fencing: Landscaped screening is required for chain link and other similar metal fencing and opaque fences.	Reduced landscaping screening is allowed where some combination of the type and design of reduced landscaping and/or the enhanced design of fencing reduces the visual impact of the fencing on the gateway corridor environment.
Table 19.61.110(C) Undesignated block frontage standards	Façade transparency: For other buildings within 10' of sidewalk, at least 30% of the ground floor between 4'-8' above the sidewalk.	Reduced transparency is allowed where the design treatment of applicable landscaping and/or façade provide visual interest to the pedestrian and mitigates impacts of any blank wall areas. Up to a 50 percent reduction in the minimum amount of window transparency may be approved via departure.
	Façade transparency: For buildings setback more than 10' from the sidewalk, at least 10% of the entire façade (all vertical surfaces generally facing the street) must be transparent.	
19.61.150(C) Where properties front onto multiple streets	Entrances: For corner sites, entrances on both streets are encouraged, but only one entrance is required. For corner sites with frontage on a storefront block frontage on one side, an entrance must be placed on the storefront block frontage side. For corner sites with a mix of designations that do not include a storefront block frontage, the entry must be placed on the order of preference.	Departures may be considered provided the location and design of the entry and block frontage treatments are compatible with the character of the area and enhance the character of the street.
19.61.150(E) Where properties front onto multiple streets	Parking: Surface parking (including ground floor parking in a structure) adjacent to a street corner is not allowed.	Departures are allowed for other combination of block frontages, except those with a Storefront designation and subject to the applicable departure criteria (must meet the purpose of the standards – in this case, the purpose statements of the applicable block frontage designations).

Reference	Standard	Departure Criteria
Chapter 19.62 - Site Planning		
19.62.030(B) Balconies near side and rear property lines	Balconies and rooftop decks above the ground floor within 15 horizontal feet of a side property line abutting a residentially zoned property must feature a railing system that is at least 50 percent opaque. Specifically, 50 percent of the area below the railing must be a sight-obscuring structure.	Departures to this standard will be allowed if the balcony will not cause visual or privacy impacts due to its location, orientation, design or other consideration.
19.62.030(C) Light and air access and privacy near side and rear property lines	Buildings or portions thereof containing multifamily dwelling units whose only solar access (windows) is from the applicable side of the building (facing towards the side property line) must be set back from the applicable side or rear property lines at least 15 feet.	Departures will be allowed where it is determined that the proposed design will not create a compatibility problem in the near and long term based on the unique site context.
19.62.040(B)(1)(b)(i) Usable residential open space	Outdoor spaces may be located in the front, side, or rear yard provided they are generally level, feature no dimension less than ten feet, and enclosed by a fence and/or hedge at least 32 inches in height to qualify	Departures will be considered for this provision
19.62.040(C) Useable commercial open space	New developments with non-residential uses with more than 10,000 square feet of gross floor area in the C, CBD, and MMU zones must provide open space equal to at least <u>two percent</u> of the development envelope. The open space may be in the form of pedestrian-oriented open space per subsection (D), garden, play area and/or other open space feature that serves both as a visual amenity and a place for human activity. Portions of sidewalks that are wider than 12 feet and which meet the standards of pedestrian-oriented open space may be counted toward this requirement.	Open space area may be reduced to <u>one percent</u> of the development envelope if the director finds the project includes exceptional design features and elements that meet the purpose of the standards. This includes open spaces that feature a combination of design (site materials, amenities, and configuration) and location/context that clearly exceed typical plaza designs found in the region.

Reference	Standard	Departure Criteria
19.62.050(C) Internal circulation	For sites with multiple buildings in the C, CBD, and MMU zones, pedestrian paths connecting businesses and residential entries on the same development site must be provided. Routes that minimize walking distances must be utilized to the extent practical.	Departures will be allowed where steep slopes prevent a direct connection or where an indirect route would enhance the design and/or use of a common usable open space.
19.62.050(D)(2) Pathway design	All internal pedestrian pathways must be curbed and raised six inches above the lot surface. Curbs may be cut to allow surface water runoff to enter low impact development best management practices (LID BMPs). Ramps and other accessibility features must be provided in accordance with the Americans with Disabilities Act of 1990 and the current ADA Standards for Accessible Design.	Alternative curb-less designs may be approved where design features are included to make the pathways safe and welcoming while enhancing the visual character of the site. See the lower right example in Figure 19.62.060(C) as a good example of a curb-less design.
19.62.050(D)(4) Pathway design	Pedestrian walks must be separated from structures at least three feet for landscaping except where the adjacent building façade meets the Storefront block frontage standards per AMC 19.61.050.	Other landscaping and/or façade design treatments to provide attractive pathways will be considered. Examples include sculptural, mosaic, bas-relief artwork, or other decorative treatments that meet the purpose.
19.62.050(D)(5)(b) Pathway design	Pathway design where multi-tenant commercial or mixed-use buildings 100 feet or more in length abut parking lots. Such pathways must feature a 12-foot wide sidewalk with and include trees, placed at an average of 50 feet on-center and placed in grates or in planting strips.	Breaks in the tree coverage will be allowed near major building entries to enhance visibility.
19.62.060(D) Drive-through facilities	Where allowed, drive through facilities (e.g., drive-up windows) must comply with the following. 1. Block frontage provisions. For the purpose of complying with the block frontage standards in AMC Chapter 19.61, drive-through lanes are considered a parking area. 2. Screening. Drive-through lanes must be screened from public streets, internal pathways, and adjacent	Alternative screening schemes may be approved provided they reduce the negative visual impacts of views from sidewalks, pathways, and adjacent residential uses and add visual interest.

Reference	Standard	Departure Criteria
	residential uses with landscaping or architectural screens. a. For drive-through lanes adjacent to the street at least ten feet of Type C Landscaping (see AMC 19.64.050) must be provided between the sidewalk and the drive-through lane. b. For drive-through lanes adjacent to internal pathways at least five feet of Type C Landscaping (see AMC 19.64.050) must be provided between the pathway and the drive-through lane. c. For drive-through lanes adjacent to residential uses, at least five feet of Type A, B, or C Landscaping (see AMC 19.64.050) must be provided.	
19.62.070(B)(2) Exterior loading areas	Exterior loading areas for commercial uses must not be located within 20 feet of a residentially zoned property.	Departures may be allowed where such a restriction does not allow feasible development, and alternative design measures can successfully mitigate potential negative impacts. For example, areas and drives may be required by the reviewing authority to be separated from the residential lot by a masonry wall at least eight feet high.
19.62.070(C)(1) and (2) Screening of ground related service areas and mechanical equipment	I. Where screening of ground level service areas is required the following applies: a. A structural enclosure must be constructed of masonry, heavy-gauge metal, or decay-resistant material that is also used with the architecture of the main building. The reviewing authority may allow materials other than those used for the main building if the finishes are similar in color and texture or if the proposed enclosure materials are more durable than those for the	Departures to the provisions of subsections (C)(1) and (2) will be considered provided the enclosure and landscaping treatment meet the purpose of the standards and add visual interest to site users.

Reference	Standard	Departure Criteria
	main structure. The walls must be sufficient to provide full screening from the affected roadway, pedestrian areas or adjacent use. The enclosure may use overlapping walls to screen dumpsters and other materials. b. Gates must be made of heavy-gauge, site-obscuring material. Chain link or chain link with slats is not an acceptable material for enclosures or gates. c. Where the interior of a service enclosures is visible from surrounding streets, pathways, and buildings, an opaque or semi-opaque horizontal cover or screen must be used to mitigate unsightly views. The horizontal screen/cover should be integrated into the enclosure design (in terms of materials and/or design). d. Collection points must be located and configured so that the enclosure gate swing does not obstruct pedestrian or vehicle vehicular traffic, or does not require that a hauling truck project into any public right-of-way. Ensure that screening elements allow for efficient service delivery and removal operations. e. The service area must be paved. 2. The sides and rear of service enclosures must be screened with landscaping at least five feet wide in locations visible from the street, parking lots, and pathways to soften views of the screening element and add visual interest.	

Reference	Standard	Departure Criteria
Chapter 19.63 - Building Design		
19.63.030(C) Façade articulation	Non-residential, mixed-use, and multifamily residential buildings must include façade articulation features at designated maximum intervals to create a human-scaled pattern. This standard applies to applicable building façades and other applicable building elevations facing parks, containing primary building entrances, and adjacent to lower intensity zones. Alley-facing building elevations not adjacent to a lower intensity zone are exempt. 1. The maximum horizontal length of intervals is: a. MMU zone: 50 feet. b. HM and LMI zone (where applicable): 60 feet. c. Buildings in all other applicable zones: 30 feet. 2. At least three of the following articulation features must be employed in compliance with maximum interval standards in subsection (C)(1) above: a. Use of windows and/or entries. b. Use of weather protection features. c. Use of vertical piers/columns (applies to all floors of the façade, excluding upper level stepbacks). d. Change in roofline per subsection (F) below. e. Change in building material, siding style, and/or window pattern (applies to all floors of the façade, excluding upper level stepbacks).	Departure will be considered provided they meet the purpose of the standards and the design criteria in subsection (D). For example, a departure may propose a design with only two articulation features instead of three and/or the articulation features exceed the maximum articulation interval. D. DEPARTURE criteria associated with articulation standards. Proposals must meet the purpose of the standards. The following criteria will be considered in determining whether the proposed articulation treatment meets the “purpose”. 1. Consider the type and width of the proposed articulation treatment and how effective it is in meeting the purpose given the building’s current and desired context (per Anacortes’s Comprehensive Plan). 2. Consider the applicable block frontage designation. Undesignated block frontages warrant more flexibility than block frontages designated as Mixed or Landscaped. 3. Consider the size and width of the building. Smaller buildings warrant greater flexibility than larger buildings. 4. Consider the quality of façade materials in concert with doors, windows, and other façade features and their ability to add visual interest to the street from a pedestrian scale and more distant observable scales.

Reference	Standard	Departure Criteria
	f. Vertical elements such as a trellis with plants, green wall, art element that meet the purpose of the standard. g. Providing vertical building modulation of at least 12 inches in depth if tied to a change in roofline per subsection (F) below or a change in building material, siding style, or color. Balconies may be used to qualify for this option if they are recessed or projected from the façade by at least 18 inches. Juliet balconies or other balconies that appear to be tacked on to the façade will not qualify for this option unless they employ high quality materials and effectively meet the purpose of the standards. h. Other design techniques that effectively reinforce a pattern of small facades compatible with the building's surrounding context.	
19.63.040(E) Maximum façade width.	Building facades and other building elevations facing lower intensity zone edge must include at least one of the following features to break up the massing of the building and add visual interest. This standard applies to applicable building elevations wider than 100 feet (wider than 150 feet in the MMU zone). 1. Provide vertical building modulation at least six feet deep and 15 feet wide. For multi-story buildings, the modulation must extend through at least one-half of the building floors. 2. Use of a contrasting vertical modulated design component featuring all of the following:	4. DEPARTURES to subsections (E)(1-3) will be considered provided the design meets the purpose of the standards. Supplemental consideration for approving alternative designs: a. Width of the façade. The larger the façade, the more substantial articulation/ modulation features need to be. b. Block frontage designation. Storefront designated block frontages warrant the most scrutiny while undesignated streets warrant more flexibility. c. The type of articulation treatment and how effective it is in meeting the purpose given the building's context.

Reference	Standard	Departure Criteria
	a. Utilizes a change in building materials that effectively contrast from the rest of the façade. b. Component is modulated vertically from the rest of the façade by an average of six inches. 3. Façade employs building walls with contrasting articulation that make it appear like multiple distinct buildings. To qualify for this option, these contrasting façades must employ all of the following: a. Different building materials and/or configuration of building materials. b. Contrasting window design (sizes or configurations).	
19.63.040(F) Roofline modulation.	Roofline modulation is not required on all buildings. However, it can be used as one of the facade articulation features in subsections (B), (C), and (E). In order to qualify as an articulation feature, rooflines must employ one or more of the following: I. For flat roofs or façades with horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of two feet or 0.1 multiplied by the wall height (finish grade to top of the wall) when combined with vertical building modulation techniques. Otherwise, the minimum vertical dimension of roofline modulation is the greater of four feet or 0.2 multiplied by the wall height.	Departure designs will be considered provided the roofline modulation design effectively reduces the perceived scale of the building and adds visual interest.

Reference	Standard	Departure Criteria
	2. A pitched roofline or gabled roofline segment of at least 20 feet in width. Buildings with pitched roofs must include a minimum slope of 5:12 and feature modulated roofline components at the interval required per the applicable standard. 3. A combination of the above.	
19.63.040(B) Façade details - non-residential and mixed-use buildings	Façade details - non-residential and mixed-use buildings. All non-residential and mixed-use buildings in the C, CBD, MMU, CM zones and MED-O overlay zone must be enhanced with appropriate details. All new buildings and additions and buildings associated with Level II and III Improvements [see AMC 19.60.020(C)] must employ at least one detail element from each of the three categories below for each façade facing a street or public space for each façade articulation interval [see AMC 19.63.040(B)]. For example, a building with 120 feet of lot frontage with a façade articulated at 30-foot intervals will need to meet the standards for each of the three façade segments below. 1. Window and/or entry treatment 2. Building elements and façade details 3. Building materials and other facade elements	Departures will be considered provided the façade (at the overall scale and at the individual articulation scale) meets the purpose of the standards.
19.63.060(C)(1) Concrete block	Concrete block (a.k.a. Concrete Masonry Unit or CMU) may be used as a secondary cladding material	Departures will be considered for alternative designs that use concrete block as the primary, but not the only, cladding material provided the design incorporates a combination of textures and/or colors to add visual interest. For example,

Reference	Standard	Departure Criteria
	on all street facing building elevations if it is incorporated with other permitted materials.	combining split or rock-façade units with smooth blocks can create distinctive patterns. The figures below illustrate acceptable concrete block use/designs.
19.63.060(C)(2) Metal siding	Metal siding may be used on all street facing building elevations provided it complies with the following standards: a. It must feature visible corner molding and trim and does not extend to the ground level of non-residential and mixed-use buildings and no lower than two feet above grade for residential buildings. Masonry, concrete, or other durable material must be incorporated between the metal siding and the ground plane. b. Metal siding must be factory finished, with a matte, non-reflective surface. c. Within the C and CBD zones, it metal may only be used as a secondary cladding material if it is incorporated with other permitted materials.	Departures will be considered provided the material's integration and overall façade composition meets the purpose of the standards.
19.63.060(C)(3) Exterior Insulation and Finish System	Standards for the use of Exterior Insulation and Finish System (EIFS). Such material/finishes may be used on all street facing building elevations as a decorative accent cladding material if it is incorporated with other permitted materials and it complies with the following: a. EIFS is limited to no more than 20 percent of the total façade area and may not be the primary cladding material. b. EIFS must feature a smooth or sand finish only.	Departures will be considered provided the material's integration and overall façade composition meets the purpose of the standards.

Reference	Standard	Departure Criteria
	c. EIFS must be trimmed in wood, masonry, or other material and must be sheltered from weather by roof overhangs or other methods. d. EIFS must not be used on the ground floor when facing a street, internal access road or pathway. Concrete, masonry, or other durable material must be used for ground level wall surfaces to provide a durable surface where damage is most likely.	
19.63.060(C)(4) Cementitious wall board paneling/siding	Cementitious wall board paneling/siding may be used on all street facing building elevations provided it meets the following provisions: a. Cement board paneling/siding may not be used on the ground floor of non-residential or mixed-use buildings where adjacent to a sidewalk or other pedestrian path. b. Where cement board paneling/siding is the dominant siding material, the design must integrate a mix of colors and/or textures that are articulated consistent with windows, balconies, and modulated building surfaces and are balanced with façade details that add visual interest from the ground level and adjacent buildings.	Departures will be considered provided the material's integration and overall façade composition meets the purpose of the standards.

Reference	Standard	Departure Criteria
Chapter 19.65 - Landscaping		
19.65.060(A) Type A landscaping	2. Screening requirement. The selected plant materials and configuration must be able to screen 70 percent of the unwanted views within five years of planting and screen 100 percent of the unwanted views within six years of planting. This requirement must account for the size and characteristics of materials planted, their typical growth rate, and size at maturity. 3. Planting requirements. Type A Landscaping must minimally consist of the following: a. Trees which are predominately evergreen (more than 50 percent). b. Tree size: A variety of tree sizes may be used, provided at least 70 percent are medium or large [see AMC 19.65.050(B)(1)]. Trees must be planted at the following spacing standards (“on-center” refers to the distance from other trees of any size): i. Large trees must be spaced between 20 and 25 feet on-center. ii. Medium trees must be spaced between 15 and 20 feet on-center. iii. Small trees must be spaced between 10 and 15 feet on-center. c. Shrubs: Predominately evergreen provided at the rate of one shrub per 20 square feet of landscape strip. d. Groundcover: Planted at a density to cover the buffer within three years.	DEPARTURES that vary from the planting requirements of subsection (3) will be considered provided the proposal meets the screening requirement of subsection (2).

Reference	Standard	Departure Criteria
	e. Species diversity: Trees and shrubs must comply with AMC 19.65.050(E).	
19.65.060(B) Type B landscaping	2. Screening requirement. The selected plant materials and configuration must meet the purpose of the standards within five years of planting. This requirement must account for the size and characteristics of materials planted, their typical growth rate, and size at maturity. 3. Planting requirements. Type B Landscaping must minimally consist of: a. Trees which are at least 50 percent deciduous and at least 30 percent evergreen. b. Tree size: A variety of tree sizes may be used, provided at least 70 percent are medium or large [see AMC 19.65.050(B)(I)]. Trees must be planted at the following spacing standards (“on-center” refers to the distance from other trees of any size): i. Large trees must be spaced between 20 and 25 feet on-center. ii. Medium trees must be spaced between 15 and 20 feet on-center. iii. Small trees must be spaced between 10 and 15 feet on-center. c. Shrubs: Provided at the rate of one shrub per 20 square feet of landscape strip and spaced no more than eight feet on-center.	DEPARTURES that vary from the planting requirements of subsection (3) will be considered provided the proposal meets the screening requirement of subsection (2).

Reference	Standard	Departure Criteria
	d. Groundcover: Planted at a density to cover the buffer within three years. e. Species diversity: Trees and shrubs must comply with AMC 19.65.050(E).	
19.65.060(C) Type C landscaping	2. Screening requirement. The selected plant materials and configuration must meet the purpose of the standards within five years of planting. This requirement must account for the size and characteristics of materials planted, their typical growth rate, and size at maturity. 3. Planting requirements. Type C Landscaping must minimally consist of: a. Trees which are at least 70 percent deciduous. b. Tree size: A variety of tree sizes may be used, provided at least 70 percent are medium or large [see AMC 19.65.050(B)(I)]. Trees must be planted at the following spacing standards (“on-center” refers to the distance from other trees of any size): i. Large trees must be spaced between 20 and 25 feet on-center. ii. Medium trees must be spaced between 15 and 20 feet on-center. iii. Small trees must be spaced between 10 and 15 feet on-center.	DEPARTURES that vary from the planting requirements of subsection (3) will be considered provided the proposal meets the screening requirement of subsection (2).

Reference	Standard	Departure Criteria
	c. Shrubs: Provided at the rate of one shrub per 20 square feet of landscape strip and spaced no more than eight feet on-center. d. Groundcover: Planted at a density to cover the buffer within three years. e. Species diversity: Trees and shrubs must comply with AMC 19.65.050(E). f. Maintain trees and shrubs to maximize pedestrian visibility (generally between three and eight feet above grade).	
19.65.070(A) Required buffer standards	Screening between certain uses may be called for in Table 19.65.070.A or elsewhere.	Alternative buffer treatments may be approved for any of the buffer types required, provided they meet the purpose of this chapter.
19.65.070(C)(2) Trees and block frontage landscaping	Where buildings are setback at least 15 feet from a street property line, trees must be planted at an average of thirty feet apart in such planting areas, with groundcover or shrubs used liberally.	Departures may be considered provided alternative treatments meet the purposes of this chapter.
19.65.070(D)(6)(a) Parking lot perimeters	For parking lots adjacent to public streets, use Type C Landscaping at a width equal to or greater than the minimum building setback specified for the applicable block frontage type specified in AMC Chapter 19.61 Block Frontage Standards.	Departures to this standard will be considered provided they meet the purpose of the standards.
19.65.070(D)(6)(b) Parking lot perimeters	For parking lots along internal lot lines, use Type A or B Landscaping at least ten feet deep, except where a greater buffer width is required per the standards in subsections A and B.	Departures to this standard will be considered provided they meet the purpose of the standards. Examples of acceptable departures may include decorative low walls with landscaping, decorative elevated planters, or landscaping with a trellis.

Reference	Standard	Departure Criteria
Chapter 19.66 - Fences, Walls and Hedges		
19.66.070(A) Fence types prohibited	Chain link fences are prohibited in the following areas: 1. All non-industrial zones within ten feet of a street right-of-way. 2. Industrial zones when across the street from the CBD zone or residential zones and within ten feet of a street right-of-way.	Departures to subsections (1) and (2) above per AMC 19.20.220 will be allowed where the design of the fence and landscape buffer treatment meets the purposes of the standards.
19.66.080(C) Retaining wall and rockery terracing standards	1. This subsection (C) applies to any combination of constructed retaining walls or constructed rockeries located within a required setback and used to protect a cut or cuts or used to raise grade and protect a fill slope. 2. If the total height of the retaining wall or rockeries exceeds five feet, the retaining wall or rockery must be terraced as shown in Figure 19.66.080(C).	Departures for alternative terracing dimensions will be considered where natural topographic or geologic features make compliance with this section infeasible.
Chapter 19.67 - Signs		
19.67.080(B)(2)(a) Monument signs materials and design	Framing. Monument signs must include design elements that effectively frame the sign on both faces. Alternatively, signs that have a substantial framing element on one side will meet this provision.	Departures will be considered provided the design meets other provisions herein, integrates a distinctive, one-of-a-kind design that contributes to the visual character of the area.
19.67.090(A)(5) Building name signs	a. Signs that advertise the name of the building and not associated with the name of any individual business are exempt from the sign area standards set forth in Table 19.67.090(A)(3).	Departures will be considered provided the sign is located in a place that is independent from individual businesses on the building and helps to provide identity for the particular building.

Reference	Standard	Departure Criteria
	b. Signs must be placed near the top of the façade and generally centered on the architectural features of the building.	
19.67.090(B)(1) Projecting sign area	I. Sign area. Projecting signs are not based on sign area standards, but on the dimensional standards below. Projecting signs may be either vertical or horizontal oriented. Projecting banner signs must all be vertically oriented. a. Projection: i. Horizontally oriented signs: No more than eight feet. ii. Square or vertically oriented signs: No more than three feet. iii. Signs may project into public right-of-way for storefront buildings, but must not extend over the curb into the travel lane. b. Height: i. Horizontally oriented signs: No more than three feet. ii. Vertically oriented signs: Must not extend above the building parapet, soffit, the eave line or the roof of the building.	Departures to the provisions in subsection (a) and (b) will be considered provided the sign design is compatible with the design of the building in terms of location, scale, and design elements, doesn't create a public safety hazard, and provides a positive contribution to the streetscape.



Anacortes City Council

Proposed Agenda Items for the Next Eight Weeks Beginning May 6, 2019

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 and vouchers are 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.

May 6, 2019

Special Meeting: Special Start Time: 5:00 p.m.

- Ordinance 3043: No Parking Beechwood Lane (Consent)
- 2019 CDBG Action Plan Review and Approval (Discussion/Possible Action)
- Planning Commission Recommendation: Development Regulations and Zoning Map Amendments - Division 6 (Discussion)
- Executive Session (xxx Minutes) : Potential real estate transaction per RCW 42.30.110 (b)

May 13, 2019

Special Meeting: Special Start Time: 5:00 p.m.

- Contract Award: Fire Station 3 Upgrades #18-156-FIR-003 (Consent)
- Contract Award: Library RFID Equipment #19-075-LIB-001 (Consent)
- Closed Record Decision Hearing: Randy Click & Donna Jung Conditional Use Permit CUP-2018-0003 to permit conversion of 3 short term rentals to single-family residences along with allowing construction of a single-family residence on the vacant lot (Discussion/Possible Action)
- Finance Update (Discussion)
- Ordinance 3042: Amending the 2019/2020 Biennial Budget (Discussion/Possible Action)
- Planning Commission Recommendation: Development Regulations and Zoning Map Amendments - Division 5 (Discussion)

May 20, 2019

Special Meeting: Special Start Time: 5:00 p.m.

- Resolution 2042: Lodging Tax Application - Heart of Anacortes 2019 Music Event (Consent)
- Planning Commission Recommendation: Development Regulations and Zoning Map Amendments (Discussion/Potential Action)

May 28, 2019

June 3, 2019

June 10, 2019

- Closed Record Decision Hearing, Swinomish Indian Tribal Community Conditional Use Permit & SEPA environmental review to permit an addition/ expansion to an existing and permitted opioid treatment facility/clinic located on the subject property. The expansion includes adding an approximate 21,019 square foot 3-story addition to the north side of the existing treatment facility, an approximate 260 square foot one-story open air bus shelter, and a new approximate 50-space parking area

June 17, 2019

June 24, 2019

Upcoming City Council Committee Meetings

The public is welcome to attend City Council Committee Meetings.

- Public Works - CANCELLED, Monday, May 6, 2019, , Main Conference Room, City Hall
- Port/City Liaison, Tuesday, May 7, 2019, 8:30 AM, Port of Anacortes
- Finance, Wednesday, May 8, 2019, 5:00 PM, Main Conference Room, City Hall
- Skagit County Law & Justice Council, Wednesday, May 8, 2019, 8:15 AM, Mount Vernon
- Planning - CANCELLED, Monday, May 13, 2019, 12:00 AM, Main Conference Room, City Hall
- Parks & Recreation, Thursday, May 16, 2019, 6:00 PM, Main Conference Room, City Hall
- Public Works, Monday, May 20, 2019, 5:00 PM, Main Conference Room, City Hall
- Finance, Wednesday, May 22, 2019, 5:00 PM, Main Conference Room, City Hall
