



Anacortes City Council
Municipal Building Council Chambers
904 6th Street

April 22 2019

Special Start Time
5:00 p.m.

PRELIMINARY AGENDA

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

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Announcements and Committee Reports**
 - a. Proclamation of Bill Mitchell Day
 - b. City Council Committee Appointments
4. **Public Comment**
5. **Consent Agenda (Action)**
 - 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
 - d. Resolution 2040: Fidalgo Bay Road Repair Emergency Declaration & Contract Award
 - e. Contract Award: Street Sweeper Purchase 19-080-ERR-001
6. **Public Hearings**
7. **Other Business**
 - a. * Parks & Recreation Comprehensive Plan Amendment (Discussion)
 - b. * Anacortes Community Forestlands Comprehensive Plan Amendment (Discussion)
 - c. Planning Commission Recommendation: Development Regulations and Zoning Map Amendments - Divisions 1, 2, 3, potentially 4 (Discussion)
8. **Adjournment**

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

The City of Anacortes encourages people with disabilities to participate in public meetings.
For assistance with special needs, please contact 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**

April 22, 2019
5:00 p.m.

Municipal Building Council Chambers
904 6th Street

NOTICE IS HEREBY GIVEN that the regular Anacortes City Council meeting of April 22, 2019 will begin at 5:00 p.m.

The Planning Committee meeting scheduled for 5:00 p.m. on April 22, 2019 has been cancelled.

Published: April 17, 2019

**Distribution: City Council
Media**



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.

April 29, 2019

Special Meeting: 5:00 p.m.

- Planning Commission Recommendation: Development Regulations and Zoning Map Amendments - Divisions 4, 5 and 6 (Discussion)

May 6, 2019

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

- Ordinance 3043: No Parking Beechwood Lane (Consent)
- Planning Commission Recommendation: Development Regulations and Zoning Map Amendments (Discussion)

May 13, 2019

- 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 (Discussion)

May 20, 2019

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.

- Planning - CANCELLED, Monday, Apr 22, 2019, , Main Conference Room, City Hall
- Finance, Wednesday, Apr 24, 2019, 5:00 PM, Main Conference Room, City Hall
- 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 , Monday, May 13, 2019, 5:00 PM, Main Conference Room, City Hall



CITY OF ANACORTES PROCLAMATION

WHEREAS, Bill Mitchell was an artist, muralist, cartoonist, and local historian;
and

WHEREAS, his roots were deep, and his love of all things Anacortes fueled Bill's
passion to preserve and honor the rich history of Fidalgo and Guemes islands;
and

WHEREAS, always being one to champion historic downtown Anacortes and
hoping to spruce up the community, Bill created the Anacortes Mural Project; and

WHEREAS, Bill shared his vision and enthusiasm with everyone who took the time
to listen; and

WHEREAS, the first mural was mounted May 3, 1984 and subsequently generated
a life of its own extending to 160 murals on display; and

WHEREAS, his focus on this artistic course will continue to grace Anacortes for
years to come; and

NOW THEREFORE, I, Laurie Gere, Mayor, do hereby proclaim in Anacortes

Bill Mitchell Day

on May 3, 2019, which is the 35th anniversary of the Anacortes Mural Project, the
day in 1984 that Bill Mitchell's first mural was installed.

This 22nd day of April, 2019.

CITY OF ANACORTES

Laurie Gere, Mayor

Anacortes City Council Committee Assignments
Current as of Resolution 2007 adopted January 8, 2018
Revised April 22, 2019

The City Council has adopted rules of procedure by Resolution 1949 (2016). Section 10 of that resolution provides that council committees may be formed by appointment of councilmembers to each committee by the mayor pro tem with the approval of the City Council. Section 10 describes three categories of appointments—standing committees, ad hoc committees, and council representatives.

STANDING COMMITTEES			
Committee	Meeting Schedule	Meeting Location	Members
Finance	Bimonthly on 2nd and 4th Wednesdays at 5:00 PM	City Hall	Eric Johnson, Bruce McDougall, Ryan Walters
Housing Affordability and Community Services	Monthly on 1st Thursdays at 1:30 PM	City Hall	Eric Johnson, Carolyn Moulton, Anthony Young
Parks and Recreation	3rd Thursday of FEB, MAY, AUG and NOV at 6:00 PM	City Hall	Brad Adams, Bruce McDougall, Anthony Young
Personnel	As Required		Bruce McDougall, Carolyn Moulton, Anthony Young
Planning	Bimonthly on 2nd and 4th Mondays at 5:00 PM	City Hall	Brad Adams, Bruce McDougall, Ryan Walters
Public Safety	1st Tuesdays of even months at 10:00 AM	City Hall, Mayor's Office	Eric Johnson, Bruce McDougall, Matt Miller
Public Works	Bimonthly on 1st and 3rd Mondays at 5:00 PM	City Hall	Brad Adams, Carolyn Moulton, Ryan Walters
EXTERNAL COMMITTEES - COUNCIL REPRESENTATIVES			
Lodging Tax Advisory Committee	As Required	As Required	Matt Miller (chair)
Port/City Liaison Committee	Monthly on 1st Tuesdays at 8:30 AM	City Hall (even months) /Port of Anacortes (odd months)	Eric Johnson, Matt Miller, Anthony Young
Skagit County Law & Justice Council	2nd Wednesdays of odd numbered months at 8:15 AM	Sheriff's Department Training Room	Matt Miller
Traffic Safety Committee	TBD	City Hall	Eric Johnson, Matt Miller, Carolyn Moulton

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 22, 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
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Continue on back of sheet as needed

City Council Minutes – April 15, 2019

Mayor Laurie Gere called to order the regular Anacortes City Council meeting of April 15, 2019 at 6:00 p.m. Councilmembers Eric Johnson, Anthony Young, Ryan Walters, Brad Adams, Carolyn Moulton, Bruce McDougall and Matt Miller were present. The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Proclamation of Arbor Day: Mayor Gere read a statement proclaiming April 26, 2019 as Arbor Day in Anacortes and encouraged citizens to plant trees thus leaving a legacy for present and future generations.

Port/City Liaison Committee: Mr. Johnson reported from the committee meeting the prior week. He summarized topics discussed including implementation of the Maritime Strategic Plan with planned quarterly updates from the committee to City Council, the open house for the Port's Northwest Basin Redevelopment Plan scheduled for April 25 from 6:30 to 8:00 p.m., the development regulations update which would appear later on the evening's agenda, and the Port's comprehensive plan update scheduled for April 18.

Public Works Committee: Mr. Walters reported that the committee meeting scheduled for earlier in the evening had been cancelled.

Public Comment

Pat Robinson, 1304 I Avenue, recounted the adoption of the current 15 mph speed limit in city alleys and asked that the alley speed limit be further reduced; he suggested 5 mph. Mr. Robinson said cars drive faster than the limit as it is which is dangerous for children and other pedestrians in the alley and also kicks up dust. He suggested that lowering the speed limit would save maintenance costs as well. Mr. Robinson acknowledged that police radar does not register speeds below 15 mph and said tickets could be written at that speed. Mr. Robinson also raised the issue of abandoned motorhomes. He said he was told by the police department that the city could not afford the \$5K cost to impound such vehicles. Mr. Robinson suggested that if each residence paid \$5 each year into a fund, there would be sufficient funds collected to impound some of those vehicles. Mr. Robinson also urged councilmembers to watch the Seattle is Dying video on YouTube addressing homelessness and how other cities are addressing it. He warned that homelessness as arriving in Anacortes.

Wim Houppermans referred to his comments to Council at its April 1, 2019 regular meeting regarding inclusion of the Guemes Channel Trail in the Transportation Improvement Plan (TIP). Mr. Houppermans thanked Mr. Walters for his two emails in response to Mr. Houppermans' comments. Mr. Houppermans said that the next TIP would likely come before Council for action later in 2019. He asked that Phases 2 and 3 of the GCT not be included in the next TIP.

Consent Agenda

Mr. Walters removed Item 5c, Contract Award: Library Main Floor Carpet Design & Installation 19-073-FAC-001, from the Consent Agenda.

Mr. Adams removed Item 5d, Contract Award: Municipal Fiber Network Coordinated Services 19-040-FBR-001, from the Consent Agenda.

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

- a. Minutes of April 8, 2019
- b. Approval of Claims in the amount of: \$471,935.53

The following vouchers/checks were approved for payment:
EFT numbers: 92872 through 92925, total \$146,061.64
Check numbers: 92926 through 92961, total \$255,236.62
Wire transfer numbers: 247888 through 248285, total \$41,987.51

c. Contract Award: Library Main Floor Carpet Design & Installation 19-073-FAC-001

Referring to the agenda bill for this item, Mr. Walters asked Public Works Director Fred Buckenmeyer which other projects would be adjusted/postponed to avoid having to amend the budget for this project. Mr. Buckenmeyer said he would report back to Council with more information. Mr. Walters questioned why the prospective bidders were only given three days to respond, why more prospective bidders were not contacted, and why the project location was incorrect in the contract scope of work. He suggested that the contract not be let under the proposed terms. Mr. Young suggested that the EDASC vendor list might provide additional contractors in the area. Mr. Miller noted that the proposed contract price was three times market rate, allowing that prevailing wages required on public works do inflate costs. He agreed with Mr. Walters that the contract should not be issued as presented and said it could be rebid later under more favorable market conditions. Mayor Gere confirmed the consensus among the councilmembers not to take action on the proposed contract. Mr. Johnson suggested that department heads should be allowed to allocate their budgets in accordance with priorities they determine. Mr. Miller and Mr. Walters said that the budget did not include sufficient funding to cover the proposed contract.

d. Contract Award: Municipal Fiber Network Coordinated Services 19-040-FBR-001

Mr. Adams suggested postponing action on this contract until after the fiber update later on the evening's agenda. Administrative Services Director Emily Schuh and the remaining councilmembers concurred.

OTHER BUSINESS

Public Works Engineering 2019 Project Overview

Assistant City Engineer Eric Shjarback reported that the waterline construction on Commercial Avenue was not complete and that the temporary asphalt patching would very soon be replaced by a smooth hot patch of the entire area. He then outlined the transportation projects planned for the 2019 season that would affect traffic circulation. He displayed a map identifying the 2019 projects. The map was added to the packet materials for the meeting. Mr. Shjarback clarified that the K Avenue overlay from 12th to 20th Streets would be postponed until 2020 after the Anacortes High School project was complete. He then described the remaining street surfacing projects depicted: a residential street overlay in the vicinity of D Avenue between 29th and 32nd Streets, an overlay of M Avenue between 32nd and 35th Streets, slurry seal of an extensive network of streets south of Oakes Avenue between D Avenue and the airport, and cape seal of sections of March Point Road. Mr. Shjarback elaborated on the extensive public outreach that would accompany the slurry seal project, slated to begin in July. He advised that the public would be invited to an Open House in June to find out more about the planned projects.

Mr. Young emphasized the need to make progress on residential streets that are in very poor condition as well as those that are being maintained to a higher standard. He asked staff to keep Council and the public informed of progress in that regard. Mr. Miller confirmed that the projects Mr. Shjarback had described would all be contracted out. Mr. Shjarback added that the Street Department did have its own paving machine and would be working on other projects during the summer. He responded to councilmember questions about how street maintenance projects were prioritized, the funding expected to be available in 2019 from the new transportation sales tax, and the emergency repairs underway on Fidalgo Bay Road. Mr. Johnson asked that Mr. Shjarback's

map be posted prominently on the Public Works page of the city website. Mr. McDougall requested a heat map showing streets of different conditions in different colors.

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

Fiber Update - Telemetry and Municipal Fiber

Administrative Services Director Emily Schuh introduced Jim Lemberg, the recently hired Municipal Broadband Fiber Manager, to update Council on the work underway to prepare for the business launch of the municipal fiber network. Mr. Lemberg's slides were included in the packet materials for the meeting. He elaborated on the tasks completed, currently in progress and still to come to build the fiber infrastructure, staff the network, connect the network upstream to the world wide web, begin modeling and marketing the network to customers, and engage the potential customer base. Mr. Johnson asked that the municipal broadband be more easily found on the city website. Mr. Walters asked Mr. Lemberg to share more information about his extensive background in the industry, which he did.

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

Public Works Director Fred Buckenmeyer then updated Council on progress on the fiber telemetry network, referring to his memo and maps which had been added to the packet materials earlier in the day. He advised that fiber was currently being installed in the water transmission line between the water treatment plant and Fidalgo Island and was expected to complete by the end of April. He reported that all city buildings had been connected with fiber including 23 of the sewer pump stations. Mr. Buckenmeyer outlined the schedule for the Phase 3 work on the west end of the island and noted that a budget amendment would soon come before Council to roll unused funding from 2018 into 2019 to complete that work.

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

Contract Award: Municipal Fiber Network Coordinated Services 19-040-FBR-001

Council then considered the contract that had been postponed from Item 5d on the Consent Agenda. Ms. Schuh responded to councilmember questions regarding terminology, acronyms and pricing reflected in Exhibit B to the proposed contract with NoaNet to oversee the Network Operation Center, provide off-hours customer service support, and provide network engineering support in lieu of hiring a network engineer in house. She clarified that the \$2.50 monthly charge for the network operations center (NOC) would be charged per subscribing customer, not per call. Mr. McDougall said that pricing model compared favorably with other models the ad hoc fiber committee had considered. Mr. Walters noted the lack of a not to exceed amount in the contract. Ms. Schuh said the terms were similar to the city's earlier contracts with NoaNet and that those terms had not been abused in the past. She said staff was closely monitoring expenditures for the project and would report back to Council on that in more detail.

Mr. Adams moved, seconded by Mr. Johnson, to approve Consent Agenda Item 5d.

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

The motion carried unanimously by voice vote.

At approximately 7:30 p.m. Mayor Gere called a 5-minute recess. At approximately 7:35 p.m. the mayor called the meeting back to order.

Planning Commission Recommendation: Development Regulations and Zoning Map Amendments

Planning Director Don Measamer introduced Bob Bengford of MAKERS Architecture and Urban Design to provide an overview of the proposed updates to the development regulations and official zoning map. Mr. Measamer thanked the Planning Commission, community and staff for the countless hours of work invested over the prior two years to arrive at the third draft of the development regulations in December of 2018 and the Planning Commission recommendations on that draft approved on April 10, 2019. Mr. Measamer said that staff was preparing a fourth draft incorporating the Planning Commission recommendations and would distribute that to City Council for the April 22, 2019 City Council meeting.

Mr. Measamer discussed with councilmembers the schedule for City Council review, suggesting early 5:00 p.m. start times for the next several meetings and/or calling a special meeting on April 29. Mayor Gere polled the councilmembers and all agreed to call a special meeting beginning at 5:00 p.m. on fifth Monday April 29, 2019 devoted entirely to review of the development regulations. Mayor Gere added that the agenda on May 6, also with an early 5:00 p.m. start time, would also be limited to development regulations and consent agenda items. Mr. Measamer suggested reviewing Divisions 1 through 4 on April 22 and Divisions 5 and 6 on April 29.

Mr. Measamer advised that the Planning Commission had recommended that City Council take additional public comment on the R2/R2A boundary. He clarified that public comment before City Council was not required for this legislative action but that Council had discretion to invite additional comment, either oral or written or both, on specific topics. Mr. Measamer reminded that any public comment opportunities would need to be noticed 14 days in advance. He also advised that for each upcoming meeting staff would provide a summary of the divisions to be discussed and key discussion topics for each division. Mr. Johnson referenced a document submitted by former councilmember Cynthia Richardson and suggested her reasonable proposal should be looked at. Mr. Measamer reiterated the options and requirements for soliciting and accepting additional public comments.

Mr. Bengford then walked Council through a slide presentation summarizing the process to date, then discussing the major changes and remaining discussion topics for each division of Title 19. Mr. Bengford's slides were added to the packet materials for the meeting. Councilmembers requested further discussion on the following topics:

- Table 19.42.030, increased density/smaller units/encouraging affordable housing in all zones
- Section 19.63, regarding corporate architecture and consolidation of articulation standards
- Section 19.66, regarding fencing, specifically along Oakes Avenue

Mr. Bengford then summarized issues discussed before the Planning Commission since release of the 3rd draft in December 2018. He noted that over 200 public comments were received and many changes resulted; he called Council's attention to the summary of the comments in the packet materials. Mr. Measamer advised that the Planning Commission had recommended bringing the R1 zone bonus incentives and cottage housing projects back before the Commission and the Council at a later date for more specific review; he said staff would provide additional information in this regard at the April 22, 2019 City Council meeting. Councilmembers requested further discussion on the following topics.

- Table 19.42.070, art and landscaping incentive impact on affordable housing
- Whether a Type 1 or Type 2 process should be used to determine if an incentive qualifies for a height bonus and using more prescriptive language for the incentives
- 19.43.010 regarding garage setbacks
- 19.43.010(H)(3) regarding single-purpose residential uses in the MMU zone
- 19.61.010 regarding block frontage designations and allowance of parking in front of buildings

Mr. Johnson again asked his colleagues their response to Cynthia Richardson's proposal that citizens and councilmembers submit suggested topics for Council discussion. Mr. Walters observed that citizens are

welcome to contact their councilmembers on any aspect of this legislative process. He noted that the comment matrix included in the packet materials indicates which prior comment topics remain unresolved. Mr. Miller agreed, but noted that any significant Council alterations to the current draft would require additional public comment. Mr. Measamer concurred. Mr. Johnson clarified that councilmembers would serve as the conduit for citizen comments on the effects of the Planning Commission recommendation. Mr. Measamer suggested that any topics that require additional public comment be combined for a shared, noticed, written comment process on specific sections of the code.

There being no further business, at approximately 9:15 p.m. the Anacortes City Council meeting of April 15, 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 22, 2019 City Council meeting:
[Download this file in OpenDocument spreadsheet format.](#)

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
248495	1/24/2019	48329	ROBINSON BROTHERS	FIBER BUILD - CENTRAL BROADBAND DISTRICT - THROUGH 1/24/19	\$ 42,443.57	hr
248582	2/5/2019	37070	WASHINGTON ASSOCIATION OF	2019 WABO ED INSTITUTE CLASS FOR S	\$ 125.00	finance
248290	3/22/2019	88333	BLYTHE PLUMBING & HEATING, INC	ACTUATOR REPAIR FOR LIBRARY	\$ 859.18	pwfac
248291	3/22/2019	88547	BLYTHE PLUMBING & HEATING, INC	EXPANSION TANK LEAK REPAIR @ FIDALGO CENTER	\$ 348.17	pwfac
248293	3/22/2019	88390	BLYTHE PLUMBING & HEATING, INC	FURNANCE REPAIR @ MUSEUM	\$ 595.73	pwfac
248199	3/25/2019	19002-01	KINGWORKS CONSULTING ENGRS	FIRE STATION 3 UPGRADES - ENGINEERING SERVICES	\$ 3,000.00	medic
248200	3/25/2019	19-6096	WESTERN DISPLAY FIREWORKS, LTD	DEPOSIT FOR 4TH OF JULY FIREWORKS 2019	\$ 6,887.68	parks1
248296	3/28/2019	S3689337.003	BUILDERS' HARDWARE & SUPPLY	WTP LOCKS	\$ 32.61	pwfac
247636	3/28/2019	2019 DMCMA	JUDICIAL CONFERENCE REGISTRAR	2019 DMCMA ANNUAL CONFERENCE REGISTRATION	\$ 150.00	court
248406	3/28/2019	176598	SCOTT RICHARDS INSURANCE, INC	UPDATE OUTDOOR ART	\$ 189.00	finance
248408	3/29/2019	911007	LIFE ASSIST, INC	VIDEO LARYNGOSCOPE MAC BLADES	\$ 3,029.86	medic
248493	3/29/2019	ReimbVanWyck	VAN WYCK, SETH	MEAL REIMBURSEMENT WOW CONFERENCE SVW	\$ 208.00	dwwtp
248481	3/31/2019	257	BOYS & GIRLS CLUBS	MARCH - LUNCH PROGRAM SERVICE PROVISION	\$ 480.00	finance
248423	3/31/2019	3091938048	LEXISNEXIS	ON-LINE LEGAL SUBSCRIPTION MARCH 2019	\$ 324.42	legal
248469	3/31/2019	0173	SKAGIT COUNTY SOLID WASTE FUND	MARCH TONNAGE HAULED	\$ 72,964.29	dshop
248286	4/1/2019	250397	ANACORTES ANIMAL HOSPITAL	BOARD & DISTRAINER; MARCH 2019	\$ 172.50	apd
247758	4/1/2019	1991178163	ARAMARK	LAUNDRY SERVICE	\$ 73.87	dwwtp
248237	4/1/2019	WAANA113950	FASTENAL COMPANY	DRIVER'S GLOVES (12)	\$ 193.71	parks1
248472	4/2/2019	1333366	DEPT OF RETIREMENT SYSTEMS	OLD AGE SURVIROR INS ADMIN COST 2018 TAX YEAR	\$ 48.62	finance
248514	4/2/2019	19411.02-2	GRAY & OSBORNE INC	ON-CALL STORMWATER ENGINEERING SERVICES CONSULTANT: L AVE SHORT PLAT	\$ 277.33	plan
248598	4/3/2019	610450	MISTER T'S AWARDS &	CITY OF ANACORTES LOGO MUG, JIM LEMBERG	\$ 21.70	hr
248413	4/3/2019	51066	MT BAKER OVERHEAD DOORS INC	ADJUST STA 3 DOORS	\$ 124.78	medic
248244	4/3/2019	111141	SKAGIT SOILS, INC.	COMPOST - ROUNDABOUT	\$ 200.73	parks1
248027	4/4/2019	1991184476	ARAMARK	OPS: MAT CLEANING 04/04/19	\$ 41.56	dshop
248028	4/4/2019	1991184475	ARAMARK	OPS & PARKS LAUNDRY SVC FOR	\$ 67.51	finance
248037	4/4/2019	1991184467	ARAMARK	APD NYLON MATS CLEANED	\$ 16.28	apd

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
248488	4/4/2019	11413528	HACH COMPANY	CHLORINE FREE CL17 REAGENT SET X 11	\$ 735.52	dwtp
248241	4/4/2019	111153	SKAGIT SOILS, INC.	COMPOST - ROUNDABOUT	\$ 200.73	parks1
248417	4/4/2019	1279791	SURETY PEST CONTROL	OPS: MONTHLY PEST MAINTENANCE	\$ 65.10	dshop
248494	4/4/2019	24757	US CRANE & HOIST, INC.	REMOVAL OF WTP CHLORINE SYSTEM CRANES	\$ 17,669.22	dwtp
248232	4/5/2019	177940L-5	BIRCH EQUIPMENT CO., INC	DEPOT CONTAINER RENTAL	\$ 152.18	parks1
248347	4/5/2019	220013286525	PUGET SOUND ENERGY INC	HEART OF ANACORTES 3/7-4/4/19	\$ 183.64	plan
248348	4/5/2019	220015523313	PUGET SOUND ENERGY INC	CAR CHARGING STATION 3/7-4/4/19	\$ 87.52	dshop
248478	4/5/2019	200015995380	PUGET SOUND ENERGY INC	APD 3/7-4/4/19	\$ 1,584.89	apd
248332	4/6/2019	82627	LAKESIDE INDUSTRIES, INC.	ROCK SALES / DUMP FEES	\$ 230.03	dshop
248333	4/6/2019	82573	LAKESIDE INDUSTRIES, INC.	DUMP FEES	\$ 21.60	dshop
248336	4/6/2019	82628	LAKESIDE INDUSTRIES, INC.	DUMP FEES	\$ 168.48	wdist
248337	4/6/2019	82629	LAKESIDE INDUSTRIES, INC.	ROCKSALES, ASPHALT	\$ 2,977.87	wdist
248597	4/7/2019	1157521	SKAGIT PUBLISHING LLC	JOB POSTING ANNOUNCEMENT, PUBLIC WORKS SANITATION	\$ 639.39	hr
248117	4/8/2019	1991188356	ARAMARK	LAUNDRY SERVICE FOR WWTP	\$ 73.73	dwwtp
248506	4/8/2019	83168554	BOUND TREE MEDICAL, LLC	PHARMACEUTICALS	\$ 79.30	medic
248507	4/8/2019	83168555	BOUND TREE MEDICAL, LLC	PHARMACEUTICALS	\$ 663.75	medic
248350	4/8/2019	220013297076	PUGET SOUND ENERGY INC	1100 STATE ROUTE 20 3/8-4/5/19	\$ 17.11	plan
248405	4/8/2019	220013297498	PUGET SOUND ENERGY INC	CASINO DRIVE UNDER TWIN BRIDGES: 03/8-4/5/2019	\$ 69.12	dshop
248411	4/8/2019	300000290019	PUGET SOUND ENERGY INC	ALL STATIONS: 3/6 4/4	\$ 814.23	medic
248412	4/8/2019	300000305007	PUGET SOUND ENERGY INC	SKYLINE ST LIGHTS/ METER VAULTS: 03/2 - 04/1/19	\$ 405.50	dshop
248421	4/8/2019	300000290035	PUGET SOUND ENERGY INC	Museum 3/7-4/4/19	\$ 210.32	museum
248233	4/8/2019	355866	SKAGIT RIVER STEEL &	STEEL PIPE - TURSI PARK REPAIRS	\$ 1,875.52	parks1
248298	4/9/2019	254650A	BAY CITY SUPPLY	FACILITY SUPPLIES	\$ 72.50	pwfac
248299	4/9/2019	255504	BAY CITY SUPPLY	FACILITY SUPPLIES FOR WTP	\$ 109.13	pwfac
248225	4/9/2019	190-1840-00	CITY OF ANACORTES	UTILITY BILLING	\$ 4,425.36	dwwtp
248480	4/9/2019	10308925670	DELL MARKETING LP	HR MANAGER COMPUTER DELL 5580	\$ 1,651.71	infosys
248485	4/9/2019	19-11967	EDGE ANALYTICAL, INC	BACT ANALYSIS FINISHED	\$ 15.00	dwtp
247379	4/9/2019	I5107225	HD FOWLER COMPANY INC	METER BOX SUPPLIES	\$ 3,198.47	wdist
248508	4/9/2019	51616146	MCKESSON MEDICAL-SURGICAL	FIRST AID SUPPLIES FOR CERT TRAILER	\$ 488.05	medic
248511	4/9/2019	51602715	MCKESSON MEDICAL-SURGICAL	FIRST AID SUPPLIES FOR CERT TRAILER	\$ 17.36	medic
248515	4/9/2019	51580498	MCKESSON MEDICAL-SURGICAL	MEDICAL/FIRST AID SUPPLIES - CERT TRAILER	\$ 76.81	medic
248500	4/9/2019	3287	NW CLEANERS	2019-2020 JANITORIAL SERVICES - ASAC & CITY HALL APRIL 2019	\$ 240.00	pw1
248287	4/9/2019	001-430369	PISTON SERVICE OF ANACORTES	FITTINGS- VEH #704	\$ 18.55	dshop
248288	4/9/2019	001-430364	PISTON SERVICE OF ANACORTES	NEW AXLE- VEH #023	\$ 100.83	dshop
248289	4/9/2019	001-430367	PISTON SERVICE OF ANACORTES	TRANSMISSION FLUID- VEH #023	\$ 50.73	dshop

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
248297	4/10/2019	276	ADVANTAGE WINDOW COVERINGS	REPLACEMENT BLINDS FOR PUBLIC SAFETY BUILDING	\$ 246.75	pwfac
248294	4/10/2019	3249	ANACORTES TOWING, LLC	TOWING; APD CASE 19-A02250	\$ 163.05	apd
248414	4/10/2019	792109886	ARAMARK	STA 3 MAT & MOP SERVICE	\$ 21.74	medic
248509	4/10/2019	82716	BERG VAULT COMPANY	CATCH BASIN - BASE ONLY	\$ 286.97	dshop
248487	4/10/2019	195257-2	BIRCH EQUIPMENT CO., INC	FILTER REPAIR - AIR COMPRESSOR RENTAL	\$ 1,293.52	dwtp
248483	4/10/2019	8498 30 030 0111230	COMCAST	WTP 14489 RIVER BEND RD. - 4/19-5/18/19	\$ 230.17	finance
248484	4/10/2019	8493 30 017 0490698	COMCAST	CITY HALL INTERNET CONNECTION 4/20-5/19/19	\$ 186.12	finance
248486	4/10/2019	19-10705	EDGE ANALYTICAL, INC	BACT ANALYSIS RAW	\$ 49.00	dwtp
248422	4/10/2019	91669495	MCMASTER-CARR	DESICCANT	\$ 159.20	dwtp
248593	4/10/2019	CM2019-08	PHOTOGRAPHY BY MARK GARDNER	MOM-SON DANCE PHOTOS	\$ 234.79	pkrec
248301	4/10/2019	001-430480	PISTON SERVICE OF ANACORTES	HUB ASSEMBLY- VEH #150	\$ 177.13	dshop
248343	4/10/2019	115	SKAGIT DOMESTIC VIOLENCE &	SKAGIT DV & SA SERVICES; 1/1/19-3/31/19	\$ 1,292.58	apd
248490	4/10/2019	1158041	SKAGIT PUBLISHING LLC	PUBLISH AA-1873835	\$ 324.80	finance
248492	4/10/2019	331 0456160	UNIFIRST CORPORATION	WTP LAUNDRY SERVICE	\$ 59.49	dwtp
248342	4/11/2019	1991194585	ARAMARK	APD NYLON MATS CLEANED	\$ 16.28	apd
248349	4/11/2019	1991194592	ARAMARK	OPS MAT CLEANING: 04/11	\$ 34.89	dshop
248407	4/11/2019	1991194591	ARAMARK	OPS & PARKS LAUNDRY SVC FOR	\$ 69.87	finance
248415	4/11/2019	1991194581	ARAMARK	STA 2 MATS & MOPS	\$ 21.74	medic
248416	4/11/2019	1991194582	ARAMARK	STA 1 MATS & MOPS: 4/11	\$ 21.74	medic
248335	4/11/2019	070-1764-00	BOWIE, SUE	Refund for overpayment on closed account	\$ 97.59	finance
248482	4/11/2019	8498 30 017 0464628	COMCAST	WA PARK INTERNET 4/21-5/20/18	\$ 106.12	finance
248594	4/11/2019	012451918	GALLS, LLC.	UNIFORM ITEMS PT & ACADEMY - MOWRER	\$ 40.18	apd
248595	4/11/2019	012451915	GALLS, LLC.	UNIFORM ITEMS FOR PT & ACADEMY - MOWRER	\$ 296.41	apd
248334	4/11/2019	460-0700-02	PARKS, JONI	Refund for overpayment on closed account	\$ 115.38	finance
248504	4/11/2019	001-430597	PISTON SERVICE OF ANACORTES	BATTERY- VEH #218	\$ 127.13	dshop
248505	4/11/2019	001-430598	PISTON SERVICE OF ANACORTES	BATTERY CHARGER- VEH #218	\$ 125.16	dshop
248340	4/11/2019	984403	PUBLIC SURPLUS	PUBLIC SURPLUS AUCTION FEES MARCH	\$ 455.63	finance
248501	4/11/2019	3000000052 Recurring	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
248409	4/11/2019	211852	SEAWESTERN, INC.	2 BUNKER GEAR SETS	\$ 4,716.60	medic
248410	4/11/2019	211857	SEAWESTERN, INC.	CAIRN'S HELMET CHINSTRAP	\$ 77.96	medic
248346	4/11/2019	COA0419	SYSTEMS DESIGN WEST, LLC	AMBULANCE BILLING MARCH	\$ 3,663.00	finance
248502	4/11/2019	KT568693	UNIVAR USA INC	SODIUM HYDROXIDE (CAUSTIC)	\$ 5,590.07	dwtp
248474	4/12/2019	3501	ANACORTES TOWING, LLC	TOWING; APD CASE 19-A02301	\$ 163.05	apd

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
248476	4/12/2019	3250	ANACORTES TOWING, LLC	TOWING; APD CASE 19-A02280	\$ 163.05	apd
248498	4/12/2019	609865	BRANOM INSTRUMENT CO .INC	WTP SIEMENS MAGFLO METER VERIFICATIONS(2)	\$ 1,790.25	dwwtp
248599	4/12/2019	30030410	CASCADE EAR NOSE & THROAT	HEARING AIDS APPROVED BY THE SKAGIT COUNTY DISABILITY BOARD	\$ 3,200.00	hr
248512	4/12/2019	0157491	GEOENGINEERS, INC.	CRITICAL AREAS REGS UPDATE - ADDITIONAL TECH SUPPORT 12/15/18-3/22/19	\$ 1,817.02	plan
248513	4/12/2019	0157489	GEOENGINEERS, INC.	CRITICAL AREAS REGS UPDATE - ADDITIONAL TECH SUPPORT 2/23/19-3/22/19	\$ 7,318.00	plan
248419	4/12/2019	ReimHagett	HARGETT, KENNETH	PER DIEM NASSCO PIPE TRAINING	\$ 152.00	dshop
248418	4/12/2019	ReimbLowry	LOWRY, BRANDON	PER DIEM NASSCO PIPE TRAINING	\$ 152.00	dshop
248471	4/12/2019	001-430824	PISTON SERVICE OF ANACORTES	BATTERY- VEH #212	\$ 439.04	dshop
248475	4/12/2019	177877	SCOTT RICHARDS INSURANCE, INC	ADDED LEASED GARBAGE TRUCK	\$ 927.00	finance
248420	4/12/2019	ReimbWilliamson	WILLIAMSON, SABEN	PER DIEM NASSCO PIPE TRAINING	\$ 76.00	dshop
248579	4/15/2019	1991198389	ARAMARK	LAUNDRY SERVICES FOR WWTP	\$ 73.27	dwwtp
248344	4/15/2019	cpls	DEPARTMENT OF LICENSING	CPLS TO D.O.L.; MARCH 2019	\$ 546.00	apd
248477	4/15/2019	041519	FIDALGO CLEANING	APD CLEANING & SUPPLIES	\$ 700.00	apd
248503	4/15/2019	1220326	FOSTER PEPPER PLLC	WATER TREATMENT PLANT MATTER NO. 96	\$ 1,485.00	legal
248510	4/15/2019	72256220	INTERSTATE BATTERIES	BATTERY- VEH #009	\$ 133.40	dshop
247876	4/15/2019	APR 2019	KORTERUD, WAYNE D	INDIGENT SCREENING APR 2019	\$ 375.00	court
248468	4/15/2019	001-430828	PISTON SERVICE OF ANACORTES	FILTER FOR VEH #108	\$ 4.87	dshop
248619	4/15/2019	001-431008	PISTON SERVICE OF ANACORTES	HYDRAULIC HOSES- VEH #510	\$ 40.62	dshop
247922	4/15/2019	April	SKAGIT LAW GROUP PLLC	PROSECUTING ATTORNEY SERVICES APR	\$ 6,120.00	legal
248583	4/16/2019	88584307	150-PRAXAIR DISTRIBUTION INC	CYLINDER RENTAL	\$ 174.33	dwwtp
248596	4/16/2019	1255576864	GRAY, MATTHEW	DENTAL SERVICES, STRICKERT, ROBERT	\$ 191.00	hr
248581	4/16/2019	1200186134	HDR ENGINEERING, INC	SANITARY SEWER STORAGE STUDY - 3/3/19-3/30/19	\$ 22,229.42	pw1
248585	4/16/2019	00092914	OWEN EQUIPMENT COMPANY	JET NOZZLE - WARTHOG MAGNUM	\$ 3,197.95	dwwtp
248618	4/16/2019	001-431072	PISTON SERVICE OF ANACORTES	COIL- VEH #009	\$ 39.49	dshop
248586	4/16/2019	300000300008	PUGET SOUND ENERGY INC	ENERGY BILLING FOR PUMP STATIONS AND WWTP 3/7-4/4/19	\$ 19,349.82	dwwtp
248589	4/16/2019	190530	T-SHIRTS BY DESIGN	VOLLEYBALL SHIRTS	\$ 978.30	pkrec

Total

\$271,709.14



City Council Agenda Bill

Meeting Date: 4/22/2019 **Agenda Item:** 5c

Subject: Street Fair Applications: Anacortes Waterfront Festival, Shipwreck Day

Staff Contact: Fred Buckenmeyer, Don Measamer

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

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

Summary Statement: Street Fair Applications for Anacortes Waterfront Festival & Shipwreck Day

Background: Anacortes Waterfront Festival requests closure of 9th Street between Q and R Avenues for unique car display, children activities, live entertainment and vendors. No changes from their typical request. Fidalgo Island Rotary Club requests closure of Commercial between 3rd Street and 10th Street with additional side closures of 6th Street between O Avenue and Q Avenue and 5th and 7th Streets between Commercial and O Avenue. This event is a city wide “garage sale” fundraiser that supports local community and international projects such as B&G Club of Anacortes, Anacortes Schools Enrichment Grants, Friends of the Forest, Anacortes Family Center, etc.

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

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: NA

Competing Viewpoints Considered: NA

Recommended Motion: I move to approve the proposed street fair applications as submitted

Alternative Actions: Deny the request(s)

Attachments (listed in order presented): Anacortes Waterfront Festival and Shipwreck Day Applications & City Memos



STREET FAIR APPLICATION

Date Received: 3/6/19 Received by: [Signature] City Council Approved: _____

NAME OF EVENT Anacortes Waterfront Festival

DATES Of Event June 1 & 2 2018

TIME of Day 8 am - 7 pm Saturday and 8 am - 6 pm Sunday

NATURE/PURPOSE of Event Community Festival and Car Show

PARTICIPANTS/Attendees (estimated number) 10,000 combined (500 car show only)

LOCATION of Event (include locations and dimensions of any structure to be erected, dimensions of street/right-of-way to be used and dimensions of same to remain unobstructed) _____

9th Street starting at Q Avenue and curving around to R Avenue to the Maritime Museum and Market Street from 9th Avenue to the entrance to the Cap Sante Parking lot (behind the WT Preston)

DESCRIPTION of Event Family festival with vendors, children's activities, live entertainment and Classic Car Show as part of the Waterfront Festival Activities

FACILITIES requested (street, sidewalk, park, etc.) _____

Dates/hours requested _____

EQUIPMENT requested ADA signage for the lot south of the Marina offices (5-6 signs)

Dates/hours requested May 31st starting at 8:00 am through June 2nd at 6 pm

SERVICES requested (e.g. Custodial, traffic control) Street sweep of the parking lot at Cap Sante Marina on the Monday after the festival (June 3th)

Dates/hours requested Monday June 3th

PARKING (include locations and dimensions of parking space to be available/provided) _____

Street parking – limited at Cap Sante, some ADA at cap Sante Marina, parking limited to car show participants on 9th from Q to R and R from 9th to the Maritime Museum and Market from 9th to Cap Sante north parking lot entrance (behind WT Preston)

INSURANCE (Certificate of Insurance must be submitted with Application)

Required _____ Not Required _____ On file with the city _____

FEES (itemize any Admission fees/space rental fees/sale of items/solicitation of funds) _____

APPLICANT/ORGANIZATION (Name) Anacortes Chamber of Commerce / Majestic Glass Corvette Club

Name of responsible person Megan Murray, Anacortes Chamber / Linda Gilbert, Majestic Glass

Phone # Megan Murray – 206-445-4234 / Linda Gilbert 360-424-6918

Address 819 Commercial Ave, Suite F, Anacortes WA 98221

Date of Birth ____/____/____

Event and contact information to be included on the City website:

Contact Name Waterfront Festival – Megan Murray

Car Show - Linda Gilbert

Phone # Waterfront Festival – Megan Murray – 206-445-4234 / Car Show - Linda Gilbert – 360-424-6918

Contact Address 819 Commercial Ave, Suite F, Anacortes WA 98221

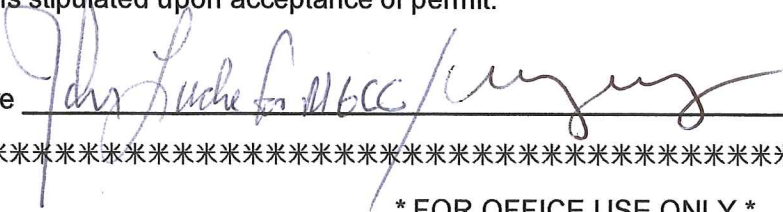
Email Address Website address Waterfront Festival - mmurray@anacortes.org

Car Show – edgarmgcc@gmail.com

Event Address Cap Sante Marina Hours of Event 8 am – 7 pm Saturday 8 am – 6 pm Sunday

Does your event require vendor(s) or participant(s) to sign up to participate? yes

The undersigned agrees to assume responsibility for the above-described event, and to abide by all conditions stipulated upon acceptance of permit.

Signature  Date 3/04/2019

* FOR OFFICE USE ONLY *

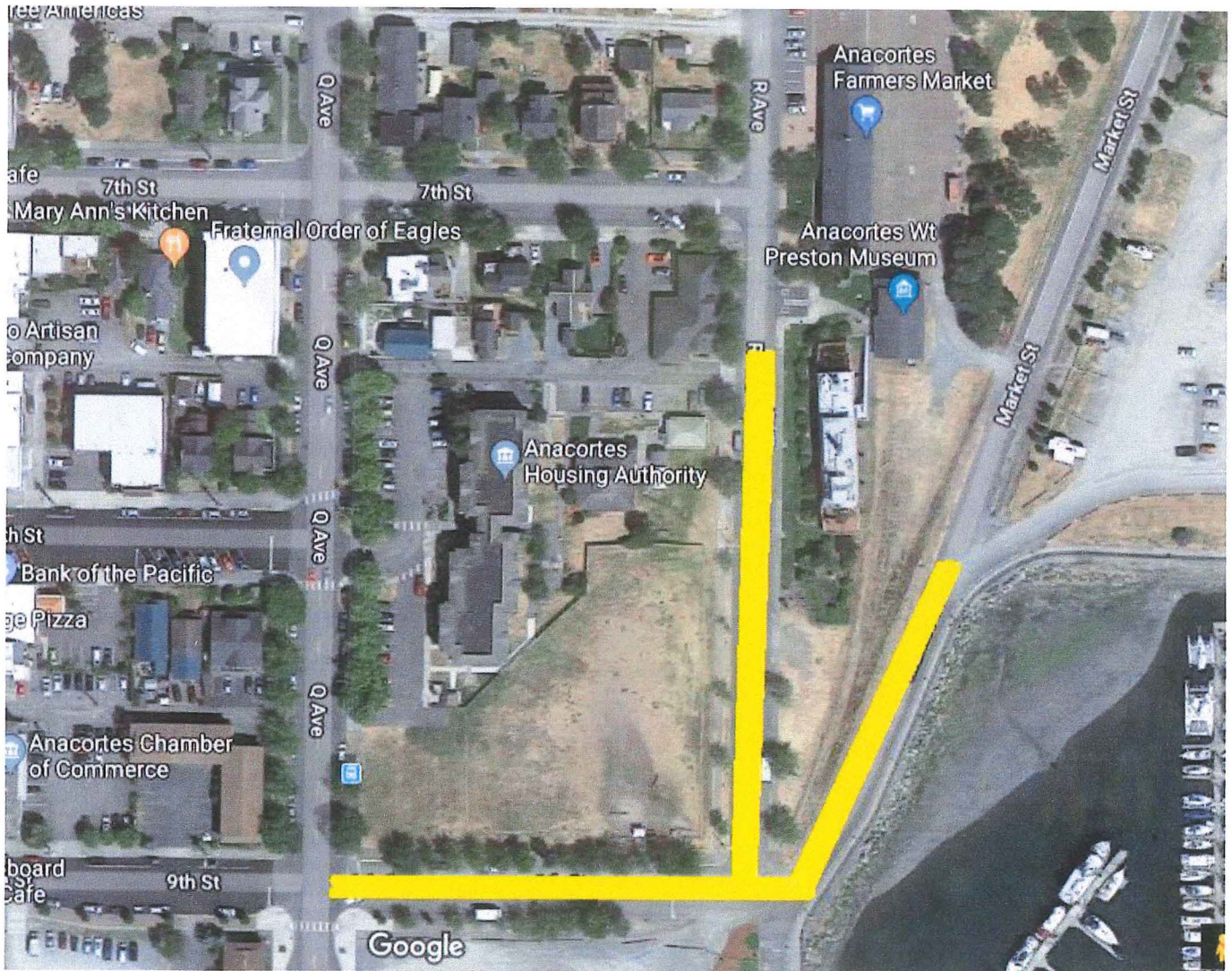
	Initials	Comments (Stipulate Conditions of Approval on Reverse)
Mayor	_____	_____
Building	<u>DMeasamer</u>	_____
Fire Parks	<u>JLunsford</u>	_____
Police	<u>JSmall</u>	_____
Public Works	<u>FBuckenmeyer</u>	_____
City Council	_____	_____

* PERMIT *

Permit will be issued after review by above Department Heads and City Council subject to the following conditions: Compliance with all City Ordinances, Compliance with Department with Public

Works regulations, and Submittal of Certificate of Insurance saving the City harmless from all liability.

Map of requested street closure area with yellow highlight showing streets to be closed for car shows.





TO: City Council Members, Mayor Gere
FROM: Fred Buckenmeyer, Director of Public Works
DATE: April 22, 2019
SUBJECT: Anacortes Waterfront Festival/Classic Car Show

Sponsor/Organizer: Anacortes Chamber of Commerce/Nancy Rytand/Linda Gilbert -Majestic Glass Corvette Club

Location: 9th Street between Q and R Avenues and R Avenue from 9th to 7th Street

Dates & Times:

June 1 - 8 a.m. to 7 p.m.

June 1 – 8 a.m. to 6 p.m.

Background: Family festival with vendors, children’s activities, live entertainment, car show.

Parking Restrictions:

Parking restricted in closed areas. Sponsors will post “No Parking” signs 48 hours prior to the event.

Public Works Services:

City Solid Waste Dept. will provide garbage service

City Building Dept. will supply “No Parking” signs

Cone, barricades, pylons and all signs other than “No Parking” signs will be supplied by applicants.

Police/Fire Services: Please provide the attached notice for Fire Code Enforcement to all food vendors participating in your event.

Recommendations: Staff recommends approval subject to applicant’s submitted request

Proposed Motion: Recommend approval

Emergency Contact Numbers:

Megan Murray – 206-445-4234

Linda Gilbert – 360-424-6918

cc: Marcia Hunt

FOOD VENDORS FIRE CODE ENFORCEMENT IN SKAGIT COUNTY

Beginning in 2019, Fire Departments in Western Washington will be enforcing an existing Fire Code that impacts our festival food vendors. The following are points that will be enforced and that you should address before the 2019 Festival Season:

1. You may not cook anything that produces grease laden vapors larger than 5 microns, under a canopy, without a Type 1 Suppression Hood. Even if the canopy is fire retardant.
2. Warming of food is okay with the use of sterno or propane.
3. Cooking that produces grease under a non-combustible structure will be allowed.
4. There will be a minimum of 10' separation between cooking equipment and any canopy, building structure or vehicle.
5. All food vendors that produce grease laden vapors will have a Class K rated extinguisher, that is current in certification. All food vendors shall have an ABC type fire extinguisher with a minimum rating of 2A:10B:C with current certification.
6. Propane must be outside of canopy and secured.
7. All food vendors will need to complete an application with the City of Anacortes prior to the Festival and will be subject to inspection before service may begin.
8. Kettle Corn vendors are exempt from the canopy cooking regulations.
9. All mobile food vendors must have a current Skagit County Inspection and a Washington State Labor and Industries Inspection. Note: L & I is one time inspection, Skagit County is an annual inspection performed by a participating Fire Department.

IF YOU HAVE ANY QUESTIONS REGARDING THE ABOVE FIRE CODE REQUIREMENTS, PLEASE CONTACT JACK KENNEDY, ASSISTANT CHIEF/FIRE MARSHAL, ANACORTES FIRE DEPARTMENT 360-293-1932



STREET FAIR APPLICATION

Date Received: 1/22/19 Received by: [Signature] City Council Approved: _____

NAME OF EVENT SHIPWRECK FEST

DATES of Event SATURDAY JULY 20 2019

TIME of Day EVENT HOURS 8A - 4P

NATURE/PURPOSE of Event FIDALGO IS. ROTARY FUNDRAISER "GARAGE SALE"

PARTICIPANTS/Attendees (estimated number) THOUSANDS

LOCATION of Event (include locations and dimensions of any structure to be erected, dimensions of

street/right-of-way to be used and dimensions of same to remain unobstructed) COMMERCIAL AVE

10th - 3rd ST. SIDE STREETS 5th (Commercial to Q) 6th ST (O to Q)
7th ST (O to Q) FOR BOOTHS

DUMSTERS SPACE SE CORNER 3rd ST MID BLOCK 5th & 7th
PORTA POTTY SPACE NE CORNER 5th 7th 9th MID BLOCK SE SIDE

DESCRIPTION of Event GARAGE SALE STYLE VENDOR BOOTHS

HOUSEHOLD ITEMS TO ARTISTIC & ANTIQUE
OFFERINGS

FACILITIES requested (street, sidewalk, park, etc.) STREET SPACE COMMERCIAL 10th - 3rd

SIDE STREETS 5th, 6th, 7th O to Q

Dates/hours requested 3A 20 JULY '19 TO 6P 20 JULY 2019

EQUIPMENT requested NO PARKING SIGNS & DUMSTERS

JUL 20-23

Dates/hours requested SIGNS: JULY 15-22 / DUMSTERS 19 JUL-22 JUL

SERVICES requested (eg. Custodial, traffic control) PARKED CAR CLEARANCE

3A JUL 20

Dates/hours requested 3A

PARKING (include locations and dimensions of parking space to be available/provided) _____

Normal residential Parking
Plus - Handicap lots @ City Hall

INSURANCE (Certificate of Insurance must be submitted with Application)

Required _____ Not Required _____

FEES (itemize any Admission fees/space rental fees/sale of items/solicitation of funds) BOOTH SPACE
RENTAL FOR LOCALS \$50 (10x10 SPACE) NONLOCAL \$65 (10x10 SPACE)

APPLICANT/ORGANIZATION (Name) ROYAL CRUB OF FIDALGO ISLAND

Name of responsible person VALERIE TIBBETTS Phone # 360-299-9390

Address 1919 36th ST ANACORTES

Event and contact information to be included on the City website:

Contact Name VALERIE TIBBETTS Phone # 360 299 9390

Contact Address PO BOX 125 ANACORTES WA 98221

Email Address VALTRAVELQ@HOTMAIL.COM Website address SHIPWRECKFEST.COM

Event Address DOWNTOWN ANACORTES Hours of Event 8A-4P

Does your event require vendor(s) or participant(s) to sign up to participate? YES

The undersigned agrees to assume responsibility for the above-described event, is over the age of 18,
and to abide by all conditions stipulated upon acceptance of permit.

Signature Valerie Tibbets Date 1-22-19

* FOR OFFICE USE ONLY *

	Initials	Comments (Stipulate Conditions of Approval on Reverse)
Mayor	<u>DM</u>	
Building	<u>JK</u>	
Fire	<u>JL</u>	<u>Applicant is aware that 4th Street needs to be clear for emergency traffic</u>
Parks	<u>JS</u>	<u>Streets need to be cleared of all leftover garbage/recycling no later than Sunday</u>
Police	<u>FB</u>	<u>a.m.</u>
Public Works		
City Council		

* PERMIT *

Permit will be issued after review by above Department Heads and City Council subject to the
following conditions: Compliance with all City Ordinances, Compliance with Department with Public
Works regulations, and Submittal of Certificate of Insurance saving the City harmless from all liability.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/18/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008	CONTACT NAME: Ali Sulita PHONE (A/C, No, Ext): 1-833-3ROTARY E-MAIL ADDRESS: rotary@ajg.com FAX (A/C, No): 630-285-4062																					
INSURED All Active US Rotary Clubs & Districts ROTARY CLUB OF FIDALGO ISLAND #50062 ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698	<table border="1"><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A:</td><td>Lexington Insurance Company</td><td>19437</td></tr><tr><td>INSURER B:</td><td></td><td></td></tr><tr><td>INSURER C:</td><td></td><td></td></tr><tr><td>INSURER D:</td><td></td><td></td></tr><tr><td>INSURER E:</td><td></td><td></td></tr><tr><td>INSURER F:</td><td></td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Lexington Insurance Company	19437	INSURER B:			INSURER C:			INSURER D:			INSURER E:			INSURER F:		
INSURER(S) AFFORDING COVERAGE		NAIC #																				
INSURER A:	Lexington Insurance Company	19437																				
INSURER B:																						
INSURER C:																						
INSURER D:																						
INSURER E:																						
INSURER F:																						

COVERAGES

CERTIFICATE NUMBER: 899307648

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			015375594	7/1/2018	7/1/2019	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			015375594	7/1/2018	7/1/2019	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ EXCESS LIAB DED RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			NOT APPLICABLE			PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate holder is included as additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER

CANCELLATION

CITY OF ANACORTES Q AND 6TH ST ANACORTES WA 98221 FIDALGO ISLAND ROTARY SHIPWRECK DAY--STREET FAIR/GARAGE SALE TYPE	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---

© 1988-2015 ACORD CORPORATION. All rights reserved.

Shipwreck Day

2019

North



9th - 10th Street

FF

9th Street

PORTA
Jan 18, 2019
POTTIES
of BILLS

Union Tavern

Pearl Buttons

Dad's Diner

Opulence

West Marine

Calico
Cupboard

Commercial Ave

	901C	901E
902W	902C	902E
903W	903C	903E
904W	904C	904E
905W	905C	905E
906W	906C	906E
907W	907C	907E
908W	908C	908E
909W	909C	909E
910W	910C	910E
911W	911C	911E
912W	912C	912E
913W	913C	913E
914W	914C	914E
915W	915C	915E
916W	916C	916E
917W	917C	917E
918W	918C	918E
919W	919C	919E
920W	920C	920E
921W	921C	921E
	922C	922E

10th Street

Shipwreck Day

8th Street

Jan 18, 2019

2019



8th - 9th Street



9th Street

Shipwreck Day

7th Street

Jan 18, 2019

2019

North



id

7th - 8th Street

Johnson Manor

Samish Nation
Gallery

Pear Tree

Dentist

Island Styles

Pret-a-Porter

Thrifty Kitty

Commercial Ave

701W	701C	701E
702W	702C	702E
703W	703C	703E
704W	704C	704E
705W	705C	705E
706W	706C	706E
707W	707C	707E
708W	708C	708E
709W	709C	709E
710W	710C	710E
711W	711C	711E
712W	712C	712E
713W	713C	713E
714W	714C	714E
715W	715C	715E
716W	716C	716E
717W	717C	717E
718W	718C	718E
719W	719C	719E
	720C	

Island Cafe

Acme Creative

Boxes and Bears

Classic Style & Co.

Fidalgo Island
Fiber

Orca Info

Elsa & Company

8th Street

Shipwreck Day

6th Street

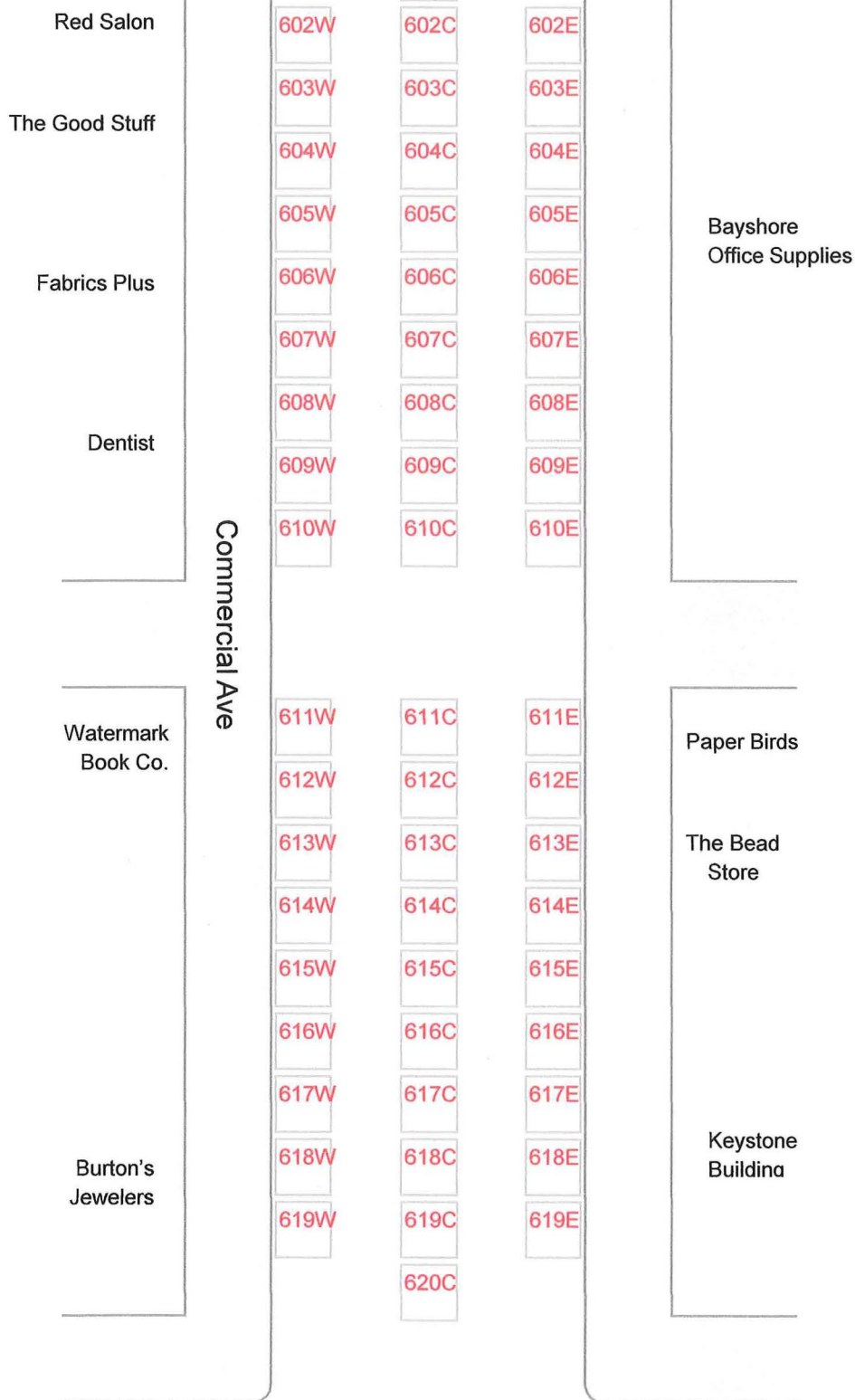
Jan 18, 2019

2019

North



6th - 7th Street



7th Street

Shipwreck Day

5th Street

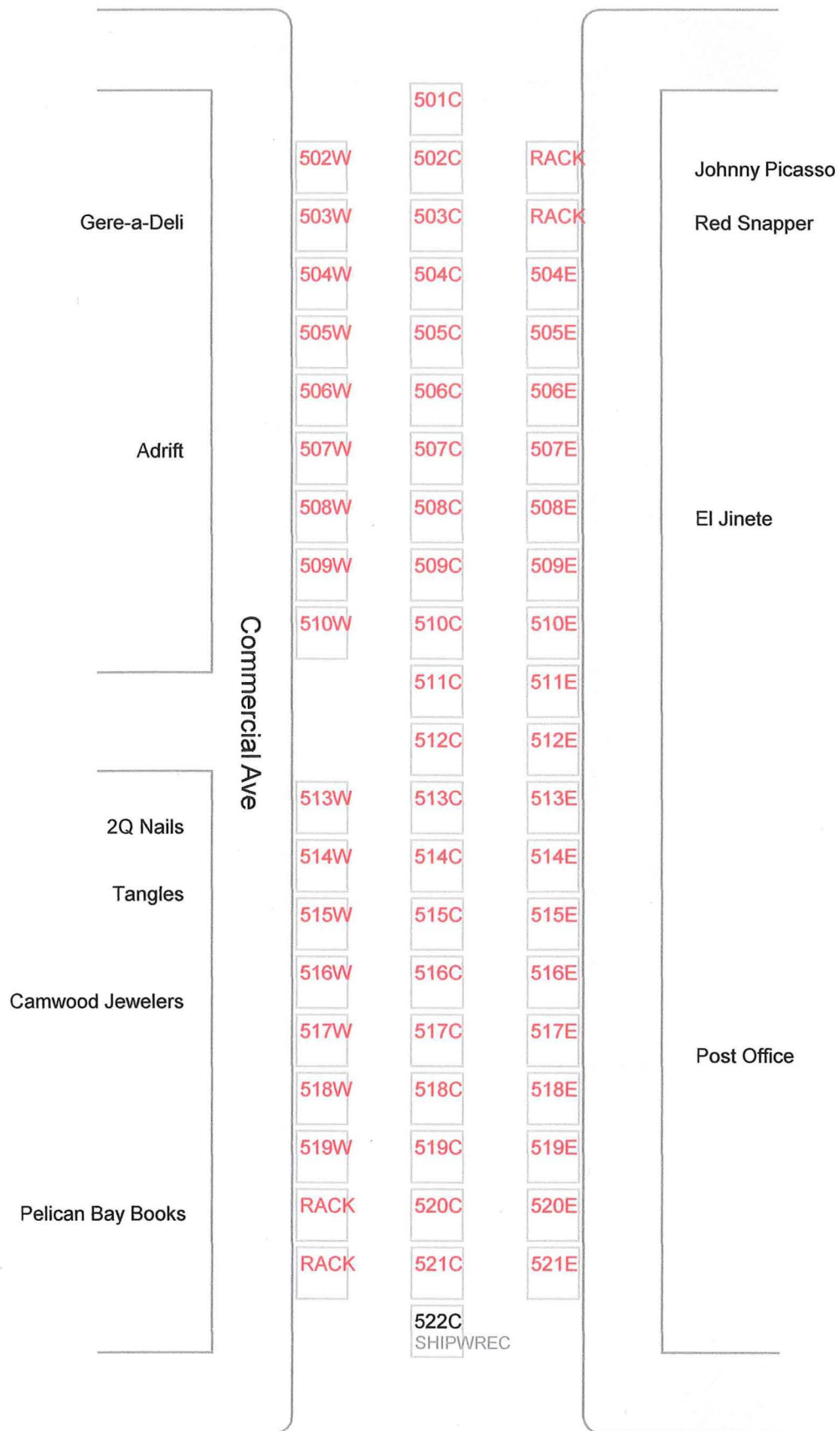
Jan 18, 2019

2019

North



5th - 6th Street



6th Street

Shipwreck Day

4th Street

Jan 18, 2019

2019



4th - 5th Street

The Business

Majestic Inn
and Spa

Brown Lantern

Frida's Mexican
Cuisine

A'Town
Bistro

Scott Milo
Gallery

Majestic Inn
and Spa

Commercial Ave

401W	401C	401E
402W	402C	402E
403W	403C	403E
404W	404C	404E
405W	405C	405E
406W	406C	406E
407W	407C	407E
408W	408C	408E
409W	409C	409E
410W	410C	410E
411W	411C	411E
412W	412C	412E
413W	413C	413E
414W	414C	414E
415W	415C	415E
416W	416C	416E
417W	417C	417E
418W	418C	418E
419W	419C	419E
420W	420C	420E
421W	421C	421E
422W	422C	422E

5th Street

Shipwreck Day

3rd Street

Jan 18, 2019

DUMPSTER

2019

North



3rd - 4th Street



4th Street

Shipwreck Day

2019

North



7th Street

Commercial Avenue

Jan 18, 2019

Buton's
Jewelry

Clean & Clip

Health and
Nutrition

7th Street

731N	731S
732N	732S
733N	733S
734N	734S
735N	735S
736N	736S
737N	737S
738N	738S
739N	739S
740N	740S
741N	741S
742N	742S
743N	743S
744N	744S
745N	745S
746N	746S
747N	747S
748N	748S
749N	749S
750N	750S
751N	751S
752N	752S
753N	753S
754N	754S
755N	755S
756N	756S
757N	757S
758N	758S
759N	759S
760N	760S

Lotus

Elks Club

Chiropractor

O Avenue

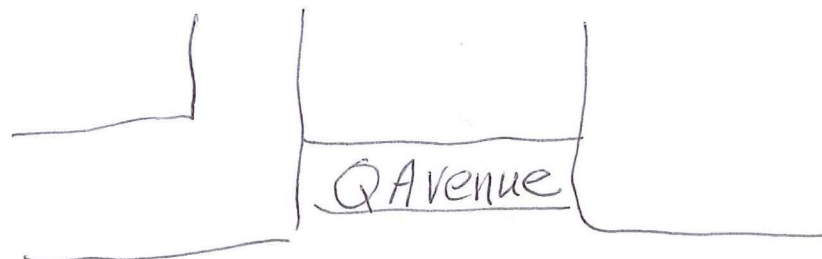
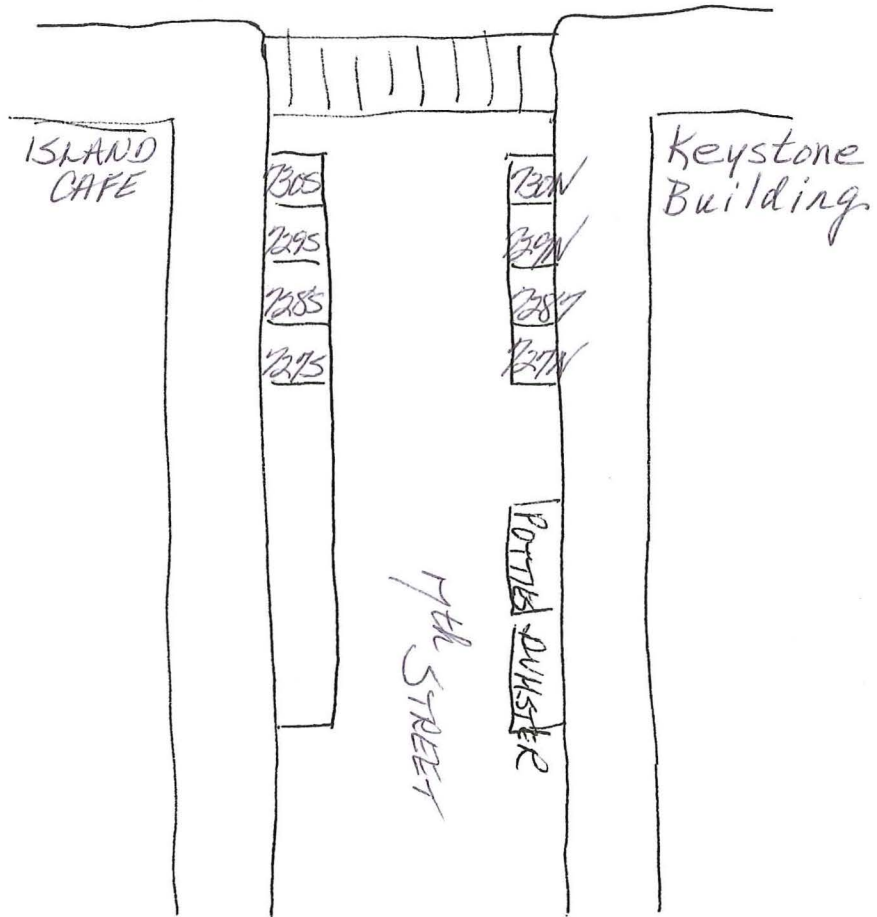
Shipwreck Day

2019

North



Commercial Avenue



Shipwreck Day

Commercial Avenue

Jan 18, 2019

2019

Pelican Bay Books

Red Salon

North



6th Street

6th Street

Studio 1010

Dentist

O Avenue

631N

631S

632N

632S

633N

633S

634N

634S

635N

635S

636N

636S

637N

637S

638N

638S

639N

639S

640N

640S

641N

641S

642N

642S

643N

643S

644N

644S

645N

645S

646N

646S

647N

647S

648N

648S

649N

649S

650N

650S

651N

651S

652N

652S

653N

653S

654N

654S

655N

655S

656N

656S

657N

657S

658N

658S

659N

659S

660N

660S

Shipwreck Day

Commercial Avenue

Jan 18, 2019

2019

South
North



Food

Bayshore
Office

- F01
- F02
- F03
- F04
- F05
- F06
- F07
- F08
- F09
- F10

- F11
- F12
- F13
- F14
- F15
- F16
- F17
- F18
- F19
- F20

Post Office

NORTH
→

6th Street

Shipwreck Day

2019

North



5th Street

Commercial Avenue

Jan 18, 2019

Scott Milo
Gallerv

Gere-a-Deli

5th Street

Anacortes
Cinema

CPA

531N	531S
532N	532S
533N	533S
534N	534S
535N	535S
536N	536S
537N	537S
538N	538S
539N	539S
540N	540S
541N	541S
542N	542S
543N	543S
544N	544S
545N	545S
546N	546S
547N	547S
548N	548S
549N	549S
550N	550S
551N	551S
552N	552S
553N	553S
554N	554S
555N	555S
556N	556S
557N	557S
558N	558S
559N	559S

O Avenue

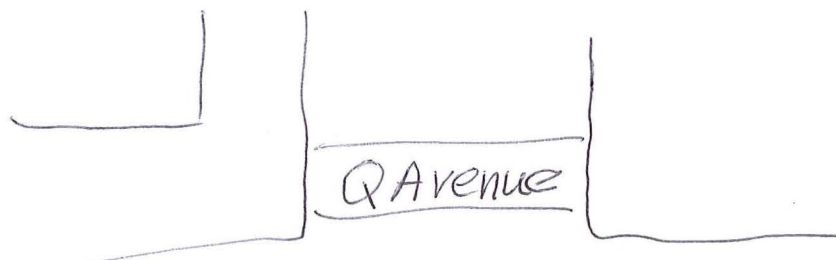
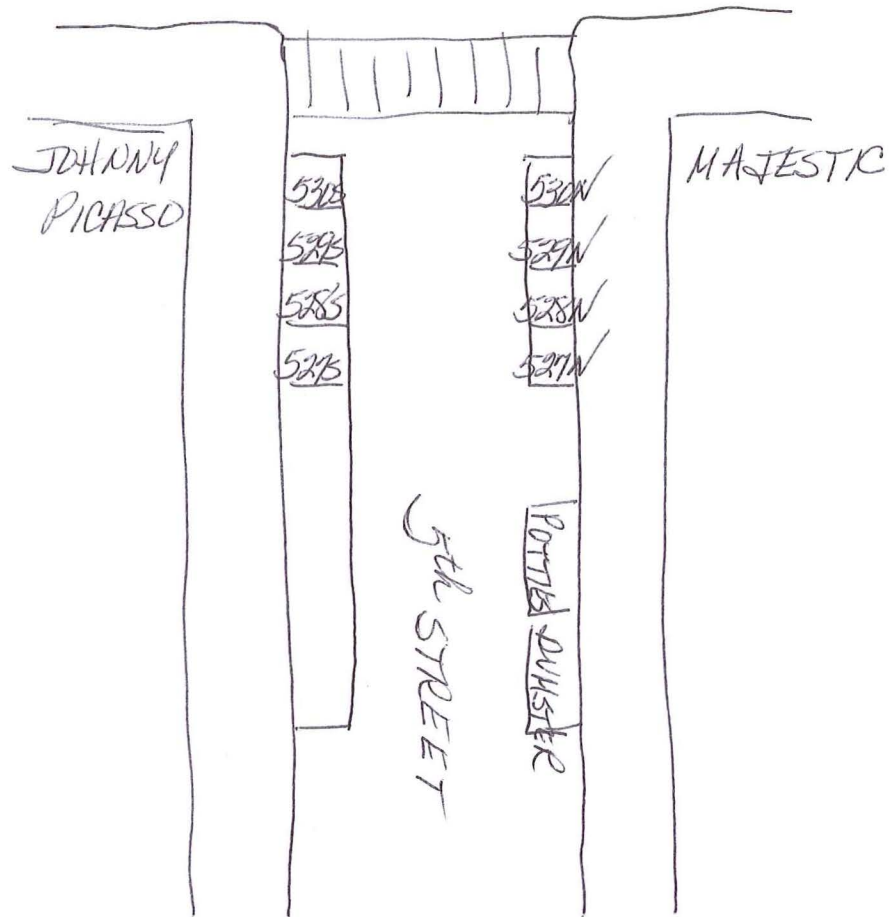
Shipwreck Day

2019

North



Commercial Avenue





TO: City Council Members, Mayor Gere
FROM: Fred Buckenmeyer, Director of Public Works
DATE: April 22, 2019
SUBJECT: Shipwreck Day, July 20, 2019

Sponsor/Organizer:

Fidalgo Island Rotary Club, c/o Valerie Tibbetts
P.O. Box 125
Anacortes, WA 98221
360-299-9390

Location:

Downtown Anacortes:
Commercial Avenue closed from 3rd Street to 10th Street
Side Streets closed: Commercial to O to Q Avenues – 5th, 6th and 7th Streets & mid-block 3rd & 9th Streets

Dates & Times:

July 20, 2019 - 3 a.m. – 6 p.m.

Background: Extensive Garage Sale Fundraiser supporting community projects such as Boys & Girls Club of Anacortes, Anacortes Schools Enrichment Grants, Friends of the Forest, etc.

Parking Restrictions: Parking restricted in closed areas as addressed above. No parking signs posted no later than 48 hours prior to the event. See attached maps.

Public Works Services: Solid Waste Services: Dumpsters will be provided

Police/Fire Services: Please provide the attached notice for Fire Code Enforcement to all food vendors participating in your event.

Recommendations: Staff recommends approval subject to applicant's submitted request. City requests applicants do a street sweep to remove any leftover trash or recycling left by vendors no later than Sunday morning after the event.

Proposed Motion: Recommend approval

Emergency Contact Numbers: Valerie Tibbitts, 360-299-9390

cc: Marcia Hunt

FOOD VENDORS FIRE CODE ENFORCEMENT IN SKAGIT COUNTY

Beginning in 2019, Fire Departments in Western Washington will be enforcing an existing Fire Code that impacts our festival food vendors. The following are points that will be enforced and that you should address before the 2019 Festival Season:

1. You may not cook anything that produces grease laden vapors larger than 5 microns, under a canopy, without a Type 1 Suppression Hood. Even if the canopy is fire retardant.
2. Warming of food is okay with the use of sterno or propane.
3. Cooking that produces grease under a non-combustible structure will be allowed.
4. There will be a minimum of 10' separation between cooking equipment and any canopy, building structure or vehicle.
5. All food vendors that produce grease laden vapors will have a Class K rated extinguisher, that is current in certification. All food vendors shall have an ABC type fire extinguisher with a minimum rating of 2A:10B:C with current certification.
6. Propane must be outside of canopy and secured.
7. All food vendors will need to complete an application with the City of Anacortes prior to the Festival and will be subject to inspection before service may begin.
8. Kettle Corn vendors are exempt from the canopy cooking regulations.
9. All mobile food vendors must have a current Skagit County Inspection and a Washington State Labor and Industries Inspection. Note: L & I is one time inspection, Skagit County is an annual inspection performed by a participating Fire Department.

IF YOU HAVE ANY QUESTIONS REGARDING THE ABOVE FIRE CODE REQUIREMENTS, PLEASE CONTACT JACK KENNEDY, ASSISTANT CHIEF/FIRE MARSHAL, ANACORTES FIRE DEPARTMENT 360-293-1932



City Council Contract Agenda Bill

Meeting Date: 4/22/2019 **Agenda Item:** 5d

Subject: Fidalgo Bay Road Repair Emergency Declaration 2040 & Contract Award 19-064-SEW-002

Staff Contact: Fred Buckenmeyer

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

Action Type: Resolution No. 2040
Contract Award

Summary Statement: Pursuant to RCW 39.04.280, City Staff seeks an emergency declaration from City Council regarding the Fidalgo Bay Road Repair. Resolution No. 2040 submitted for approval further states that the Council authorizes the Public Works Director, Finance Director, and Mayor to proceed without solicitation of bids to a contract for construction of the Fidalgo Bay Road Repair.

To carry out the work of Resolution No. 2040, City staff seeks City Council consent to award a contract in the amount of \$158,995.00 to C. Johnson Construction, Inc. to perform the Fidalgo Bay Road Repair. The work provided for this project included all materials, equipment, labor, and related items necessary to stabilize an approximately 150' foot section of Fidalgo Bay Road, including but limited to; removal of asphalt, concrete and failed road base materials, clearing and grubbing, installation of a MSM Retaining Wall, installing new asphalt, repairing the existing guardrail, and other work.

Background:

1. **History:** During the week of March 18th, 2019 a portion of Fidalgo Bay Road over a sewer force main significantly shifted by several inches (4"-5"). The rapid rate of shifting and damage presented an imminent potential for total failure of the road and underlying sewer force main, which would likely result in a health risk, bodily injury, and/or property damage if immediate action was not taken. The emergency work is the reconstruction of the roadway section approximately 150' long and 15' wide. The roadway is built entirely on a clay base and age, as well as stormwater infiltration is causing the east side of the road to slowly separate from the main portion of the road at the location of a sewer trench. Time is important on this project, we need to fix this problem as soon as possible before it gets worse. The reconstruction includes:
 - a. Complete closure of this section of Fidalgo Bay Road for the duration of the construction;
 - b. Clearing and grubbing;
 - c. The removal of a section of guard rail, asphalt, concrete and failed road base materials;
 - d. Construction of a new road section: including roadway base material, asphalt, gravel shoulder, and the installation of a new guard rail section;
 - e. Reinforce the approximate 900 sqft new section of road using welded wire face panels.
2. **Key Terms:**
 - a. Contract is for a fixed price of \$158,995.00.
 - b. The Contractor shall complete the work by May 31, 2019.
3. **Competitive Bidding:** This event falls within the definition of an emergency as set forth under RCW 39.04.280, thus allowing the waiver of competitive bidding by adoption of a resolution by the governing body.

Previous Council/Committee Action: N/A

Competing Viewpoints Considered: N/A

Recommended Motion: I move that City Council approve Resolution No. 2040 and authorize the Mayor to sign contract 19-064-SEW-002 with C. Johnson Construction, Inc. in the amount of \$158,995.00 to perform the Fidalgo Bay Road Repair.

Alternative Actions: N/A

Attachments: Resolution No. 2040, Contract 19-064-SEW-002

Contractor	C. Johnson Construction, Inc.
Contract Amount	\$158,995.00
Earmarked Funds	\$0
BARS #	440.000.594.35.63
Budget Amendment Required?	Yes
Start Date	Notice to Proceed
End Date	May 31, 2019

CITY OF ANACORTES

RESOLUTION NO. 2040

A RESOLUTION of the City of Anacortes, Washington, relating to public works; making findings pursuant to RCW 39.04.280; declaring an emergency and authorizing the Public Works Director and Finance Director, under the supervision of the Mayor, to contract for the repair of an approximately 150' section of Fidalgo Bay Road, without solicitation of bids; and authorizing the Public Works Director, Finance Director and Mayor to carry out this authorization.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANACORTES, WASHINGTON, AS FOLLOWS:

Section 1. Recitals and Findings. The City Council of the City of Anacortes hereby makes the following findings:

- 1.1 Fidalgo Bay Road is built entirely on a clay base and is the responsibility of the City's to maintain.
- 1.2 During the week of March 18th, 2019 an approximately 150' portion of Fidalgo Bay Road over a sewer force main significantly shifted by several inches (4"-5") due to age and stormwater infiltration.
- 1.3 The rapid rate of shifting and damage presented an imminent potential for total failure of the road and underlying sewer force main, which would likely result in a health risk, bodily injury, and/or property damage if immediate action was not taken.
- 1.4 Repair of the damage is "public work" as defined by RCW 39.04.010 (4).
- 1.5 RCW 39.04.280 provides that the City, by resolution, may waive competitive bidding requirements for public works in the event of an emergency. For purposes of RCW 39.04.280, an "emergency" is any unforeseen circumstance beyond the control of the municipality that either (a) presents a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

The imminent failure of this the damaged section of Fidalgo Bay Road and the underlying sewer force main is an “emergency” as defined by state law.

Section 2. Declaration of Emergency. Based on the Recitals and Findings above, under RCW 39.04.280 the City Council declares an emergency situation exists, waives competitive bidding requirements, and authorizes the emergency contracting for the repair of the approximately 150’ section of Fidalgo Bay Road.

Section 3. Authority of Public Works Director. The City’s Public Works Director and Finance Director are authorized, under supervision of the Mayor, to proceed to contract, without solicitation bids, for the repair of an approximately 150’ section of Fidalgo Bay Road, and to take such actions as necessary to carry out the intent and direction of this Resolution.

Section 4. Ratification and Confirmation. Any actions of the City or its officers prior to the date hereof and consistent with the terms of this Resolution are ratified and confirmed.

Section 5. Effective Date. This Resolution shall be in full force and effect from the after its adoption and approval.

The foregoing resolution was ADOPTED by the City Council of the City of Anacortes, Washington, at a regular, open public meeting thereof this 22nd day of April 2019.

Laurie Gere, Mayor

ATTEST:

Steven D. Hoglund, City Clerk/Treasurer

APPROVED AS TO FORM:

Darcy Swetnam, City Attorney



CONTRACT 19-064-SEW-002
AGREEMENT WITH
C JOHNSON CONSTRUCTION, INC.

This contract agreement is between the City of Anacortes, Washington, a Municipal Corporation and C Johnson Construction, Inc., a private contractor at 3080 NE Halyard Ln, Ste C, Oak Harbor, WA 98277.

PROJECT
FIDALGO BAY ROAD REPAIR

1. **Scope of Work:** Contractor shall furnish all materials, equipment, labor, and related items necessary to stabilize an approximately 150' foot section of Fidalgo Bay Road, including but limited to; removal of asphalt, concrete and failed road base materials, clearing and grubbing, installation of a MSM Retaining Wall, installing new asphalt, repairing the existing guardrail, and other work. Work is subject to the 2018 City of Anacortes Engineering Standards, which is hereby incorporated by reference and made a part hereof.

2. **Contract Price:** The Contractor will perform the scope of work above for a firm fixed price of **One Hundred Fifty-Eight Thousand Nine Hundred Ninety-Five Dollars (\$158,995.00)**, as detailed in Exhibit A, which is hereby incorporated by reference and made a part hereof. This includes all labor and materials for the project. Before any payment is made by the City of Anacortes of sums under this contract, the contractor must provide a copy of the statement of *Intent to Pay Prevailing Wage* approved by the Department of Labor and Industries. Pursuant to RCW Chapter 60.28, a sum of five percent (5%) of the monies earned by the contractor will be retained.

3. **Bonds:** Pursuant to RCW 39.08.010, the Contractor shall provide the City a performance bond and payment bond for the full contract amount to be in effect as detailed in the incorporated General Provisions. The City may at its option release the bonds once all the conditions of RCW 39.08.010-1a have been discharged.

4. **Time of Completion:** The Contractor shall complete the work by May 31, 2019.

5. **Job Safety:** Contractor shall comply with all Department Labor & Industries and City of Anacortes safety standards.

6. **Contract Requirements:** Contractor must have a contractor license number, insurance, and City of Anacortes business license. **Prevailing Wage Law Applies.** Forms Needed: 1) Proof of Insurance with Additional Insured Endorsement (see General Provisions); 2) Intent to Pay Prevailing Wage; 3) Affidavit of Wages Paid; 4) Performance Bond; 5) Payment Bond; 6) Certification of Compliance with Wage Payment Statutes.

7. **Contract Documents:** The attached General Provisions, Exhibit A, and 2018 City of Anacortes Engineering Standards are included in this Contract Agreement.

The Owner and Contractor each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, in respect of all covenants, agreements, and obligations contained in the Contract Documents.

In Witness Whereof, all portions of the Contract Agreement have been signed or identified by the Owner and Contractor.

Owner:

City of Anacortes

Mayor

Date

Contractor:

C Johnson Construction, Inc.

Signature

Printed Name

Date

Contractor License #

CITY OF ANACORTES CONTRACT 19-064-SEW-002

EXHIBIT A

C Johnson Construction, Inc.

3080 NE Halyard Ln, Ste C

Oak Harbor, WA 98277

Contact: Corey Johnson

Phone: (360) 675-4848 #13

Fax: (360) 675-4263

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	Mobilization	1.00	LS	13,375.00	13,375.00
2	Temp. Traffic Control	1.00	LS	1,500.00	1,500.00
3	Temp. Erosion Control	1.00	LS	2,375.00	2,375.00
4	SPCC Plan	1.00	LS	100.00	100.00
5	Survey-Construction Staking	1.00	LS	450.00	450.00
6	Clearing, Grubbing & Roadside Cleanup	0.10	AC	37,000.00	3,700.00
7	Sawcutting	50.00	LF	10.00	500.00
8	MSE Wall	1.00	LS	102,145.00	102,145.00
9	Class B Asphalt	170.00	TN	205.00	34,850.00
GRAND TOTAL					\$158,995.00

1. Delivery. Advance coordination of the work shall be made with the Project Manager Jeff Beltramini, (360) 299-1936.

2. Subcontracts. The Contractor shall give notice reasonably in advance of placing any subcontract; preferably the Contractor shall identify subcontracts before subcontracted work begins. "Subcontract" means any contract entered into by a Sub-Contractor to furnish supplies or services for performance of the prime Contractor or a Sub-Contractor. It includes, but is not limited to, purchase orders, and changes and modifications to purchase orders. The following information shall be included (i) a description of the supplies or services to be subcontracted, (ii) identification of the type of subcontract to be used (iii) identification of the proposed Sub-Contractor, (iv) proposed subcontract price. Unless consent or approval specifically provides otherwise, consent by the City shall not constitute a determination

- (1) of the acceptability of any subcontract terms or conditions;
- (2) Of the allowability of any cost under this contract, or
- (3) To relieve the Contractor of any responsibility for performing this Contract.

The Contractor shall give immediate written notice of any action or suit filed and prompt notice of any claim made against the Contractor by any Sub-Contractor or vendor that, in the opinion of the Contractor, may result in litigation related in any way to this contract, with respect to which the Contractor may be entitled to reimbursement from the City.

3. Taxes. The City will pay sales and use taxes imposed on goods or services acquired hereunder as required by law. The Contractor must pay all other taxes including, but not limited to: Business and Occupation Tax, taxes based on the Contractor's gross or net income, or personal property to which the City does not hold title. The City is exempt from Federal Excise Tax. Where applicable the City shall furnish a Federal Excise Tax Exemption certificate.

4. Invoicing. All invoices shall include: Company Name, Invoice Date, Due Date (30 days), Invoice Number, Invoice Period, Project Title, Agreement Number and Price, or Amended Price. The Contractor must invoice **MONTHLY** for quantities delivered during the invoice period. Invoices may be sent by US mail to City of Anacortes, Accounts Payable, PO Box 547, Anacortes, WA 98221, or by email to accountspayable@cityofanacortes.org. Contractors may complete a City furnished ACH/EFT form to receive electronic payments directly to their financial institution. The City shall notify the Contractor within fifteen (15) calendar days from receipt of invoice if there are any objections or disputes with the invoice. The Contractor shall then resubmit a new invoice less the disputed amount and payment shall be made within 30 calendar days. Any disputed amounts may be submitted under the Disputes clause contained herein.

5. Withholding Payment. In the event the City determines that the Contractor has failed to perform any obligation under this Contract within the times set forth in this Contract, then the City may withhold from amounts otherwise due and payable to Contractor the amount determined by the City as necessary to cure the default, until the Contracting Officer determines that such failure to perform has been cured. Withholding under this clause shall not be deemed a breach entitling Contractor to terminate or damages, provided that the City promptly gives notice in writing to the Contractor of the nature of the default or failure to perform, and in no case more than 8 days after it determines to withhold amounts otherwise due. A determination of the Public Works Director set forth in such notice to the Contractor of the action required and/or the amount required to cure any alleged failure to perform shall be deemed conclusive, except to the extent that the Contractor acts within the times and in strict accord with the provisions of the Disputes clause of this Contract. The City may act in accordance with any determination of the Public Works Director which has become conclusive under this clause, without prejudice to any other remedy under the Contract, to take all or any of the following actions: (1) cure any failure or default, (2) to pay any amount so required to be paid and to charge the same to the account of the Contractor, (3) to set off any amount so paid or incurred from amounts due to become due the Contractor. In the event the Contractor obtains relief upon a claim under the Disputes clause, no penalty or damages shall accrue to Contractor by reason of good faith withholding by the City under this clause.

6. Final Payment: Waiver Of Claim The contractor's acceptance of final payment (excluding withheld retainage) shall constitute a waiver of claims, except those previously and properly made and identified by the contractor as unsettled at the time request for final payment is made.

7. Inspection.

A. Of the Work

All materials furnished and work done shall be subject to inspection. The City Project Manager administering the Contract shall at all times have access to the work wherever it is in progress or being performed, and the Contractor shall provide proper facilities for such access and inspection. Such inspection shall not relieve the Contractor of the responsibility of performing the work correctly, utilizing the best labor and materials in strict accordance with the Specifications of the Contract. All material or work approved and later found to be defective shall be replaced without cost to the City.

B. Project Manager's Authority

The Project Manager shall have power to reject materials or workmanship which do not fulfill the requirements of these Specifications, but in case of dispute the Contractor may appeal to the City Attorney whose decision shall be final. The Contract shall be carried out under the general control of the representative of the City administering the Contract, who may exercise such control over the conduct of the work as may be necessary, in his or her opinion, to safeguard the interest of the City. The Contractor shall comply with any and all orders and instructions given by the representative of the particular Department administering the Contract in accordance with the terms of the Contract. Nothing herein contained, however, shall be taken to relieve the Contractor of his/her obligations or responsibilities under the Contract.

8. Warranty. The Contractor shall return to the project and repair or replace all defects in workmanship and material discovered within one year after Final Acceptance of the Work, including any necessary labor and materials. The Contractor shall start work to remedy any such defects within 7 calendar days of receiving City's written notice of a defect, and shall complete such work within the time stated in the City's notice. In case of an emergency, where damage may result from delay or where loss of services may result, such corrections may be made by the City's own forces or another contractor, in which case the cost of corrections shall be paid by the Contractor. In the event the Contractor does not accomplish corrections within the time specified, the work will be otherwise accomplished and the cost of same shall be paid by the Contractor. When corrections of defects are made, the Contractor shall then be responsible for correcting all defects in workmanship and materials in the corrected work for one year after acceptance of the corrections by City. In addition, the Contractor shall obtain and submit to the City any necessary documentation to secure any extended manufacturer's warranty and warranty terms. This guarantee is supplemental to and does not limit or affect the requirements that the Contractor's work comply with the requirements of the Contract or any other legal rights or remedies of the City.

9. Defense and Indemnity Agreement. The Contractor shall defend, indemnify and hold the City, its appointed and elective officers, officials, employees and volunteers harmless from any and all claims, injuries, including death at any time resulting there from, damages, losses or suits including attorney fees, to the extent caused by negligent acts, errors or omissions of the Contractor in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, and volunteers, the Contractor's liability hereunder shall be only to the extent of the Contractor's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this Clause shall survive the expiration or termination of this Agreement.

10. Insurance.

A. Insurance Term: The Contractor shall procure and maintain insurance, as required in this Section, without interruption from commencement of the Contractor's work through the term of the contract and for thirty (30) days after the Physical Completion date, unless otherwise indicated herein.

B. No Limitation: The Contractor's maintenance of insurance, its scope of coverage and limits as required herein shall not be construed to limit the liability of the Contractor to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

C. Minimum Scope of Insurance: The Contractor's required insurance shall be of the types and coverage as stated below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be at least as broad as Insurance Services Office (ISO) form CA 00 01.
2. Commercial General Liability insurance shall be as least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors, products-completed operations, stop gap liability, personal injury and advertising injury, and liability assumed under an insured contract. The Commercial General Liability insurance shall be endorsed to provide a per project general aggregate limit using ISO form CG 25 03 05 09 or an equivalent endorsement. There shall be no exclusion for liability arising from explosion, collapse or underground property damage. **The City of Anacortes and its officers, elected officials, employees, agents, and volunteers shall be named as an additional insured** under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City using ISO Additional Insured endorsement CG 20 10 10 01 and Additional Insured-Completed Operations endorsement CG 20 37 10 01 or substitute endorsements providing at least as broad coverage.
3. Worker's Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

D. Minimum Amounts of Insurance: The Contractor shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate and \$2,000,000 products-completed operations aggregate limit.

E. Public Entity Full Availability of Contractor Limits: If the Contractor maintains higher insurance limits than the minimums shown above, the Public Entity shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Contractor, irrespective of whether such limits maintained by the Contractor are greater than those required by this contract or whether any certificate of insurance furnished to the Public Entity evidences limits of liability lower than those maintained by the Contractor.

F. Other Insurance Provision: The Contractor's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the City. Any insurance, self-

insurance, or self-insured pool coverage maintained by the City shall be excess of the Contractor's insurance and shall not contribute with it.

G. Acceptability of Insurers: Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

H. Verification of Coverage: The Contractor shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsements, evidencing the insurance requirements of the Contractor before commencement of the work. Upon request by the City, the Contractor shall furnish certified copies of all required insurance policies, including endorsements, required in this contract and evidence of all subcontractors' coverage.

I. Subcontractors' Insurance: The Contractor shall cause each and every Subcontractor to provide insurance coverage that complies with all applicable requirements of the Contractor-provided insurance as set forth herein, except the Contractor shall have sole responsibility for determining the limits of coverage required to be obtained by Subcontractors. The Contractor shall ensure that the City is an additional insured on each and every Subcontractor's Commercial General liability insurance policy using an endorsement at least as broad as ISO CG 20 10 10 01 for ongoing operations and CG 20 37 10 01 for completed operations.

J. Notice of Cancellation: The Contractor shall provide the City and all Additional Insureds for this work with written notice of any policy cancellation within two (2) business days of their receipt of such notice.

K. Failure to Maintain Insurance: Failure on the part of the Contractor to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days notice to the Contractor to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Contractor from the City.

11. Acceptance. Contractor acknowledges and agrees that these General Provisions are incorporated in, and are a part of, each purchase order or other agreement relating to the provision of goods and/or related services by Contractor. These General Provisions supersede all conflicting or additional terms pre-printed on any purchase order, quote, invoice, or otherwise set forth on any release, acknowledgement, confirmation, requisition, work order, shipping instruction, specification and similar document or communication.

12. Registered or Licensed Contractor. The City is prohibited by RCW 39.06.010 from executing an Agreement with a Contractor who is not registered or licensed as required by the laws of the state. In addition, a City of Anacortes business license is required for any business working inside the city limits whose annual value of products, gross proceeds of sales, or gross income of the business in the city is more than \$2,000. Business licenses can be obtained through the State of Washington Department of Revenue (DOR) Business Licensing Service (BLS) at bls.dor.wa.gov.

13. Discrimination Prohibited. During the performance of this Agreement, the Contractor and subcontractors shall not discriminate in violation of any applicable federal, state and/or local law or regulation on the basis of age, sex, race, creed, religion, color, national origin, marital status, disability, honorably discharged veteran or military status, pregnancy, sexual orientation, gender identity, or any other classification protected under federal, state, or local law. This provision shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, selection for training, and the provision of services under this Agreement. Contractor agrees to comply with the applicable provisions of State and Federal Equal Employment Opportunity and Nondiscrimination statutes and regulations.

14. Contractor is an Independent Contractor. The parties intend that an independent Contractor relationship will be created by this Agreement. No agent, employee or representative of the Contractor shall be deemed to be an agent, employee or representative of the City for any purpose. Contractor shall be solely responsible for all acts of its agents, employees, representatives and Sub-Contractors during the performance of this Agreement.

15. No Third Party Beneficiary Rights. This Agreement is not intended to and shall not be construed to give any Third Party any interest or rights (including, without limitation, any Third Party beneficiary rights) with respect to or in connection with any agreement or provision contained herein or contemplated hereby, except as otherwise expressly provided for in this Agreement.

16. The City's Right to Terminate Agreement.

A. Termination for Default: If the Contractor defaults by failing to perform any of the obligations of the Agreement or becomes insolvent or is declared bankrupt or commits any act of bankruptcy or insolvency or makes an assignment for the benefit of creditors, the City may, by depositing written notice to the Contractor in the U.S. mail, postage prepaid, terminate the Agreement, and at the City's option, obtain performance of the work elsewhere. If the Agreement is terminated for default, the Contractor shall not be entitled to receive any further payments under the Agreement until the Scope of Services under this Agreement has been fully performed. Any extra cost or damage to the City resulting from

such default(s) shall be deducted from any money due or coming due to the Contractor. The Contractor shall bear any extra expenses incurred by the City in completing the work, including all increased costs for completing the work, and all damage sustained, or which may be sustained by the City by reason of such default. If a notice of termination for default has been issued and it is later determined for any reason that the Contractor was not in default, the rights and obligations of the parties shall be the same as if the notice of termination had been issued pursuant to the Termination for Public Convenience paragraph hereof.

B. Termination for Public Convenience: The City may terminate the Agreement in whole or in part whenever the City determines, in its sole discretion that such termination is in the best interests of the City. Whenever the Agreement is terminated in accordance with this paragraph, the Contractor shall be entitled to payment for actual work performed at unit Agreement prices for completed items of work through the date of termination. An equitable adjustment in the Agreement price for partially completed items of work will be made, but such adjustment shall not include provision for loss of anticipated profit on deleted or uncompleted work. Termination of this Agreement by the City at any time during the term, whether for default or convenience, shall not constitute a breach of Agreement by the City.

17. Changes/Additional Work. The City may engage Contractor to perform services in addition to those listed in this Agreement, and Contractor will be entitled to additional compensation for authorized additional services or materials. The City shall not be liable for additional compensation until and unless any and all additional work and compensation is approved in advance in writing and signed by both parties to this Agreement. If conditions are encountered which are not anticipated in the Scope of Services, the City understands that a revision to the Scope of Services and fees may be required. Provided, however, that nothing in this paragraph shall be interpreted to obligate the Contractor to render or the City to pay for services rendered in excess of the Scope of Services unless or until a modification to this Agreement is approved in writing by both parties.

18. Non-waiver. Waiver by the City of any provision of this Agreement or any time limitation provided for in this Agreement shall not constitute a waiver of any other provision.

19. Covenant Against Contingent Fees. The Contractor warrants that he has not employed or retained any company or person, other than a bona fide employee working solely for the Contractor, to solicit or secure this Agreement, and that he has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the Contractor, any fee, commission, percentage, brokerage fee, gifts, or any other consideration contingent upon or resulting from the award of making of this Agreement. For breach or violation of this warranty, the City shall have the right to annul this Agreement without liability or, in its discretion to deduct from the Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

20. Disputes

A. General: Differences between the Contractor and the City, arising under and by virtue of this Agreement shall be brought to the attention of the City at the earliest possible time in order that such matters may be settled or other appropriate action promptly taken. The provisions of this Clause shall survive the expiration or termination of this Agreement.

B. Notice of Potential Claims: The Contractor shall not be entitled to additional compensation which otherwise may be payable, or to extension of time for (1) any act or failure to act by the City, or (2) the happening of any event or occurrence, unless the Contractor has given the City a written Notice of Potential Claim within 10 days of the commencement of the act, failure, or event giving rise to the claim, and before final payment by the City. The written Notice of Potential Claim shall set forth the reasons for which the Contractor believes additional compensation or extension of time is due, the nature of the cost involved, and insofar as possible, the amount of the potential claim. Contractor shall keep full and complete daily records of the Work performed, labor and all costs and additional time claimed to be additional.

C. Detailed Claim: The Contractor shall not be entitled to claim any such additional compensation, or extension of time, unless within 30 days of the accomplishment of the portion of the work from which the claim arose, and before final payment by the City, the Contractor has given the City a detailed written statement of each element of cost or other compensation requested and of all elements of additional time required, and copies of any supporting documents evidencing the amount or the extension of time claimed to be due.

D. Dispute Resolution: In the event of a dispute between the City and the Contractor arising out of this Agreement, or any obligation hereunder the dispute shall first be referred to the representatives designated by the City and the Contractor to have oversight over the administration of this Agreement. Said representatives shall meet within thirty (30) calendar days of receipt of detailed claim, and the parties shall make a good faith effort to achieve a resolution of the dispute. In the event the parties are unable to resolve the dispute under the procedure set forth above, then the parties hereby agree that the matter shall be referred to mediation. The parties shall mutually agree upon a mediator to assist them in resolving their differences. Any expenses incidental to mediation shall be borne equally by the parties. If either party is dissatisfied with the outcome of the mediation, that party may then pursue any available judicial remedies.

21. Force Majeure. Definition: Except for payment of sums due, neither party shall be liable to the other or deemed in default under this Agreement if and to the extent that such party's performance of this Agreement is prevented by reason of force majeure. The term "force majeure" means an occurrence that is beyond the control of the party affected and could

not have been avoided by exercising reasonable diligence. Force majeure shall include acts of God, war, riots, strikes, fire, floods, epidemics, or other similar occurrences. Notification: If either party is delayed by force majeure, said party shall provide written notification within forty-eight (48) hours. The notification shall provide evidence of the force majeure to the satisfaction of the other party. Such delay shall cease as soon as practicable and written notification of same shall be provided. The time of completion shall be extended by Agreement modification for a period of time equal to the time that the results or effects of such delay prevented the delayed party from performing in accordance with this Agreement. Rights Reserved: The City reserves the right to cancel the Agreement and/or purchase materials, equipment or services from the best available source during the time of force majeure, and Contractor shall have no recourse against the City.

22. Governing Law. This Agreement shall be governed by and construed under the laws of the State of Washington. Any action brought under the Agreement or relating to the Project shall be brought in the Superior Court of the State of Washington in Skagit County Washington.

23. Compliance with Laws. The Contractor in the performance of this Agreement shall comply with all applicable Federal, State or local laws and ordinances, including regulations for licensing, certification and operation of facilities, programs and accreditation, and licensing of individuals, and any other standards or criteria as described in the Agreement to assure quality of services. Contractor will follow all applicable laws and requirements for excavation and disposal of material.

24. Severability. If any term or condition of this Agreement or the application thereof to any person(s) or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications which can be given effect without the invalid term, condition or application. To this end, the terms and conditions of this Agreement are declared severable.

25. Survival of Contract Termination. The provisions of the following paragraphs, the provisions of the non collusion affidavit, and the liability of the Contractor for default during the term of the Contract shall survive, notwithstanding the termination or invalidity of this Contract for any reason: Taxes; Warranty; The City's Right to Terminate Contract; Governing Law; Defense & Indemnity Agreement; Disputes.

26. Notices. Receipt of any notice shall be deemed effective three days after deposit of written notice in the U.S. mail, with proper postage and properly addressed. Notices shall be sent to the following addresses:

CITY:

City of Anacortes
Tiffany Matson
904 6th Street
PO Box 547
Anacortes, WA 98221

CONTRACTOR:

C Johnson Construction, Inc.
Corey Johnson
3080 NE Halyard Ln, Ste C
Oak Harbor, WA 98277

27. Performance and Payment Bonds. The City is required by RCW 39.08.010, with limited exceptions, to obtain both a Performance and a Payment bond for each public works project. The City requires separate Performance and Payment bonds for 100% of the contract amount furnished on bond forms standardized by the City Attorney's office. The bonds must meet the following provisions:

- Be for the full amount of the project, including tax.
- Name City of Anacortes as the obligee.
- List the correct Project Name and Project Number.
- Be signed by both the surety (the Attorney in Fact) and the Contractor.
- Be issued by a surety authorized to do business in the State of Washington (listed on the Insurance Commissioners website) and which meets the AM Best Rating required in the Contract Documents. If no requirement exists, a minimum of AM Best Rating A-7 or better will be required.

Release of Bonds

Bonds will not be released until the project has been completed and finally accepted.

Performance Bonds – Performance Bonds will be released at the end of the warranty period or six months after the date of final acceptance, whichever is later. The City may at its option release the bond once all the conditions of RCW 39.08.010-1a have been discharged.

Payment Bonds – Payment Bonds will be released either 45 days after final acceptance of the project or upon receipt of releases from the Department of Revenue, Department of Employment Security and the Department of Labor and Industries, whichever is later. Release is contingent on the fact that no claims against the bond have been filed prior to the 45 day mark. If claims have been filed against the bond, it will not be released until the claims have been resolved.

Exceptions – On projects \$150,000 and under, the Contractor can, in lieu of providing a performance and payment bond, request to have the City withhold 10% of monies earned on the project for a period of 30 days after final acceptance of

the completed work or until receipt of all necessary releases from the Department of Revenue and the Department of Labor and Industries and settlement of any liens filed under Chapter 60.28 RCW, whichever is later. This exception is dependent on pre-approval by the City Attorney, and the City reserves the right to reject requests to waive the bond requirements.

28. Retainage. Pursuant to RCW Chapter 60.28, a sum of five percent (5%) of the monies earned by the Contractor will be retained. The Contractor may elect to execute a Retainage Bond. The bond must be furnished on a bond form standardized by the City Attorney's office and issued by a surety currently authorized by the State Insurance Commissioner to do business in Washington State. Retainage will be released **45 days after final acceptance**, provided that the following has occurred:

- 1) All liens placed against the project have been released. For projects over \$35,000, releases from the Department of Labor and Industries, Department of Employment Security and the Department of Revenue will also be required.
- 2) Affidavits of Wages paid for the final correct contract amount are approved and on file for the Contractor and any subcontractors.
- 3) Worker's Compensation Premiums for the Contractor and any subcontractors are current.

Note: If the City has approved the Contractor's request to waive the bond requirements, the City will withhold a total of 10% of the monies earned for a period of 30 days after final acceptance of the completed work or until receipt of all necessary releases from the Department of Revenue and the Department of Labor and Industries and settlement of any liens filed under Chapter 60.28 RCW, whichever is later.

29. WASHINGTON STATE PREVAILING WAGES

Washington State Prevailing Wages apply to all Work. The Contractor and any of its Subcontractors are required to pay their laborers and mechanics minimum wage in compliance with Washington State Prevailing Wage Laws. Before any payment is made by the City of Anacortes of any sums under this contract, the contractor and each subcontractor must provide the City with a copy of the statement of *Intent to Pay Prevailing Wages* approved by the Washington State Department of Labor and Industries (L&I). Following contract completion, the City will not release any funds retained, according to the provisions of RCW 60.28.010, until the contractor and each subcontractor has provided the City a copy of the *Affidavit of Wages Paid* approved by L&I. L&I provides the wage forms. Payment by the contractor or subcontractor of any fees are incidental to the project and all costs shall be included in other pay items of the project.

For contracts in excess of \$10,000, the contractor must post in a conspicuous place at the job site, a copy of the statement of *Intent to Pay Prevailing Wages* approved by L&I and the address and phone number of the Industrial Statistician where complaints or inquires may be made. The City will refer any dispute regarding the prevailing rate of wage to L&I for arbitration.

The State of Washington prevailing wage rates applicable for this public works project, which is located in Skagit County, may be found at the following website address of the Department of Labor and Industries: <https://fortress.wa.gov/lni/wagelookup/prvwagelookup.aspx>. The prevailing wage schedule in effect for the work under the contract will be the one in effect on the Contractor's first working day. A copy of the applicable prevailing wage rates are also available for viewing at the office of the Owner, located at 904 6th Street, Anacortes, WA. Upon request, the Owner will mail a hard copy of the applicable prevailing wages for this project.



City Council Contract Agenda Bill

Meeting Date: 4/22/2019 **Agenda Item:** 5e

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 a \$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: N/A

Competing Viewpoints Considered: N/A

Recommended Motion: I move that City Council authorize the Mayor to sign 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

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



City Council Agenda Bill

Meeting Date: 4/22/2019 **Agenda Item:** 7a and 7b

Subject: Parks and Recreation and Anacortes Community Forest Lands Comprehensive Plans Discussion

Staff Contact: Jonn Lunsford

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

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

Summary Statement: The draft Parks & Recreation and ACFL Comprehensive Plans have been approved by their respective advisory committees. The plans went before the Planning Commission on March 27, 2019 and were recommended for City Council review. At this point I am bringing them both to City Council for a discussion to hear your input and make any revisions before returning for a public hearing at a future date.

Background: The draft Parks and Recreation Comprehensive Plan was approved by the Parks and Recreation Advisory Commission (PRAC) in December 2018. Three public meetings were held in the winter and spring of 2018 to take public comments. Additional revisions were made at monthly PRAC meetings. The Forest Advisory Board (FAB) began deliberations for the draft ACFL Comprehensive Plan in 2014 in preparation for the City Comprehensive Plan update in 2015. The ACFL draft plan was created over a period of approximately 8 months at a special meeting and monthly meetings of the Forest Advisory Board. The draft plan was approved in October 2014 by the FAB.

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

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: Parks and Recreation Advisory Commission approval of Draft Parks and Recreation Comprehensive Plan. Forest Advisory Board approval of Draft Anacortes Community Forest Lands Plan. Planning Commission recommended of both plans for City Council review on [March 27, 2019](#). The Parks and Recreation draft plan was recommended to City Council with a unanimous vote. The

ACFL draft plan was recommended to City Council with the an amendment noting a possible use at the Old City Dump of a bike skills course instead of a possible dog park on that site. The vote was 4-2 in favor of recommending to City Council.

Competing Viewpoints Considered: At the Planning Commission meeting on March 27, 2019, viewpoints expressed there by many members of the public included a desire to see the city build a bike skills course at the old city dump in the Community Forest Lands. Others encouraged the city to replace the old skate park with a modern design and construction. A citizen also encouraged the city to do a study of the beaver population in the ACFL.

Recommended Motion: This is a discussion item only for this meeting.

Alternative Actions: N/A

Attachments (listed in order presented): [Draft Parks and Recreation Comprehensive Plan with SEPA Environmental Checklist and Determination of Nonsignificance](#); [Planning Commission public comments regarding skate park improvements](#); [draft Anacortes Community Forest Lands Comprehensive Plan with SEPA Environmental Checklist and Determination of Nonsignificance](#)

Anacortes Parks and Recreation Comprehensive Plan **DRAFT**

December 2018

Introduction: Climate and Accessibility

Anacortes is situated in the Puget Trough of northwest Washington. The Trough, known in part as Puget Sound, is a lowland scoured by glacial action during the Pleistocene epoch. Many islands are scattered throughout the saltwater Sound. Puget Sound lies between two mountain ranges; the Olympic Mountains to the west and the Cascade Mountains to the east. Anacortes is part of a dramatic setting in the San Juan Islands and near the Canadian Gulf Islands and other Puget Sound islands which lie north and south of the city.

The City of Anacortes is in Skagit County, Washington, 80 miles north of Seattle and 90 miles south of Vancouver, British Columbia. Anacortes is on Fidalgo Island north of Whidbey Island and connected by bridges to the mainland across Swinomish Channel. Anacortes is reached by Highway 20, 16 miles west of Interstate 5 at Burlington. The city occupies the north portion of Fidalgo Island and is bordered on three sides by saltwater shoreline; Burrows Bay, Rosario Strait, Guemes Channel and Fidalgo Bay. The southern edge of Anacortes is mainly Anacortes Community Forest Land, a forest preserve with lakes, streams and trails crowned by Mt. Erie. Anacortes City limits range from sea level to the summit of Mt. Erie at 1,270 feet.

Anacortes has relatively mild yearly climate tempered by coastal conditions. Prevailing winds in the spring and summer provide drying and drought conditions, while in the fall and winter prevailing southwest winds bring winter storms and rain. Occasional northeast winds produce dry, cold temperatures in winter and dry warm temperatures in summer. The mean average summer temperature is 64 degrees and the mean average winter temperature is 40 degrees. Average annual rainfall is 26 inches, 10 inches less than Seattle. Snowfall averages 3 inches.

Parks/Rec service area extends beyond city limits

As part of the 2016 Anacortes Comprehensive Plan update, City Council reviewed population growth and the city population projections.

The population estimate (from the US Census Bureau) of Anacortes in 2016 was 16,681. Per the city forecast, the population of Anacortes may increase to 22,293 residents by 2036. It is important for planning purposes to know that the City of Anacortes Parks and Recreation Departments service area goes beyond the limits of the City of Anacortes. It is estimated that the service area includes an additional 25% population. It is also important to note that the City of Anacortes is not the only supplier of Parks and Recreation services in the area and those other providers are taken in-to consideration in this plan. Below are the population numbers and estimates that were used for the City of Anacortes Comprehensive Plan update in 2018. We are using those same numbers and projections to be consistent with the City Comprehensive Plan.

Table 1: Population Forecasts

	<u>2016</u>	<u>2036</u>
Anacortes City Limits	16,681	22,293

Through visionary efforts, the early citizens of Anacortes gave residents and visitors to the community a wonderful gift. Their forethought preserved many hundreds of acres of native woodland. This landscape creates a powerful legacy of respect for the natural environment and serves as a commitment of stewardship to the environment and to the community. This legacy is expressed in the volunteerism which helped build Causland Memorial Park and is manifested today in the development of Volunteer Park. The volunteer efforts of individuals and civic associations are deeply rooted in the community.

This Parks and Recreation Plan also reflects the effort of volunteers spending many hours discussing issues, researching opinions, discussing options, studying maps, preparing policies and imagining the future. There is a common thread, from early residents' land conservation, to today's efforts, a community shaping its future and offering a carefully planned Parks and Recreation vision to ensuing generations.

Park, open space, and recreation planning is an opportunity to improve the quality of life of a community and to evaluate performance. It is also an opportunity to hear from residents regarding types of facilities they need and the types of recreational programs they desire. The planning process is also an opportunity to respond to changing recreational needs, to collectively brainstorm on issues, and to introduce a new vision. The purpose of this plan is to guide public decision-making on these issues and visions.

This plan was last updated in 2009 and set goals to plan for future park and recreation needs. Within this plan, "parks" include recreational areas such as skate parks, athletic courts, multi-use pathways and trails, ball fields, playgrounds, open-spaces, public gathering spaces and critical areas for passive recreation and protection of wildlife habitat.

Chapter 1: Existing Parks & Recreation System

An inventory of the existing recreational areas, listed in alphabetical order is included below.

Ace of Hearts Rotary Park (“H” Avenue and 38th Street) is a 5-acre park featuring an off-leash fenced dog park, a Little League fast pitch/baseball field, a walking path, and a gravel parking lot. Possible future amenities could include permanent restroom facilities and a paved access road with parking.

Alice Parchman Newland Park (“R” Avenue) is a 10- acre linear park and street median developed along the “R” Avenue access road from Highway 20 into Anacortes waterfront industries and recreation areas. The park hosts some community artwork and serves as a walking corridor with views of Fidalgo Bay and Mt. Baker.

Ben Root Skate Park is a concrete skate park located on the north end of the Alice Parchman Newland Park.

Cap Sante Park (4th and “W” Avenue) is a 37-acre forested promontory at the eastern edge of Anacortes. It is primarily a viewpoint overlooking the marina, the City of Anacortes, March Point, Fidalgo Bay and the Cascades. A remnant of an amphitheater is located on the east bank of the park.

Causland Memorial Park (8th Street and “N” Avenue) was built in the 1920s by Louis LePage and is on the National Register of Historic Places. A portion of the park is dedicated to Anacortes veterans from World War I to the Vietnam War. The 2-acre park is unique in its use of decorative rock and black and white mosaic for structures and walls. Low, serpentine mosaic walls surround the park, and a bandstand, amphitheater and terraces are similarly made of colored pebble and rock mosaic. Other park features include picnic tables, mature ornamental plantings, a small grassy lawn and many terraces. The park is visited frequently by tourists enthralled by its lovingly detailed decorations.

Clearidge Park (Blakely Place) is a .8-acre partially developed park near the Anacortes Airport with one tennis court, two pickle ball courts, and a basketball court. It was given to the City as part of the subdivision process as homes were developed in the west side of Anacortes.

The Depot Arts and Community Center (7th Street and “R” Avenue) is a 5.75-acre site generally triangular in shape and located two blocks east of Downtown Anacortes. The site houses a number of historic and natural attractions including: The Depot Building, which is listed on the National Register of Historic Places and houses the Depot Arts Center; the W.T. Preston, a large sternwheeler, and the Snag boat Heritage Center, a facility constructed in 2005 and dedicated to presenting information on Snag boat heritage; a seasonal farmers market; the Altair-Americas Memorial; a train house; a box car; a madrone grove; community artwork; picnic tables; and two wetlands.

Grand View Cemetery was originally established on September 25th, 1897 by William and Ernestine Deutsch. The cemetery was deeded to the City of Anacortes in October of 1945 and by City Ordinance dated February 5, 1946 the City took over maintenance and operations of Grand View Cemetery (light green on map below – 6.59 acres)). The City purchased additional property from the Deutsch family in later in 1946 that became Grand View Annex (light brown on map below – 6.79 acres). The City acquired additional property to the east of Whistle Lake Road from the Brooks family in 1949 (light blue on map below – 4.78 acres). The City acquired approximately 6.06 acres to the west of the cemetery in 1966 (light purple on the map below).



Guemes Channel Trail is a walking / biking path that runs along the Guemes Channel waterfront. The trails access point is at the Edwards Way cul-de-sac and continues east towards Anacortes for approximately 1 mile. Community efforts continue to link the trail from Washington Park to the Thompson Trail.

Heart of Anacortes (1014 4th Street) an outdoor community gathering place for music and entertainment. Seating for about 200 people in chairs or on natural turf. Restrooms are located onsite.

Kiwanis Waterfront Park is a 2-acre natural park located west of the Guemes Ferry Dock. It features day parking, a paved path, beach access, three benches, and a picnic table.

Mt. Erie (South Anacortes off Heart Lake Road) is a 160-acre park. It includes the summit of Mt. Erie, the highest point of Fidalgo Island. There is a small parking area and a paved road to the top of Mt. Erie. It is a popular area for tourists, mountain climbers and hikers. Trails on the mountain connect to the surrounding Anacortes Community Forest Lands.

“N” Avenue Park (2nd Street and “N” Avenue) is .4 acres of mainly undeveloped street-end park land with views to Guemes Channel. A handful of parking spaces, community artwork, and a couple of picnic tables are also located at this park.

Pickett Park (Alleyway between 22nd and 21st on the east side of Commercial) is a planned “pocket park” that will likely be constructed by the time this plan is adopted. It will have a paver surface with tables, benches, planters and a sculpture.

Roadside Park (Kansas Avenue) is a .3-acre street end park. Also, there are a few parking spaces, picnic tables, and stairs to access the Guemes Channel trail.

Rotary Park (Market and “T” Avenue) is a 1.5-acre linear park located on the north and east edge of the Cap Sante Boat Haven at the base of Cap Sante. Rotary Park has a trail out to the Cap Sante breakwater, parking, picnic tables and a shelter. There is also a 9-hole Disc Golf course located within the park boundary.

Storvik Park (between 29th and 32nd streets) is a park of 8.7 acres. It has picnic tables, restrooms, one Little League game field which also serves as a multi-purpose youth soccer field and two basketball courts. Storvik also has children’s play equipment and is used regularly as a destination park by walkers. A recent project included building a new spray pad in the area west of newly renovated restrooms.

Ship Harbor Interpretive Preserve (between the Washington State Ferry Terminal and Edwards Way cul-de-sac) is an approximately 30 acre site that include a sandy beach, some uplands and an extensive wetland area. There is approximately 3,000 feet of interpretive trails that are a combination of at grade and boardwalks. There are 5 beach access observation platforms with interpretive signage.

Shugarts Playground is a .25-acre playground adjacent to the Public Library.

Tommy Thompson Parkway is a paved non-motorized path which stretches 3.3 miles from 9th Street and “Q” Avenue along the old railroad corridor to March Point. It provides beach access and incredible views of Fidalgo Bay and the Cascade Mountains. There is a restroom facility located at 22nd and “R” Avenue and at the Soroptimist Station, 301 30th Street, along the trail.

Volunteer Park (14th Street and “H” Avenue) has been largely a volunteer effort. There are approximately 24 acres of developable space, 15 acres of which are leased from the school district. The Marguerite and Don Daniels Field is a Little League sized baseball and fast pitch field with an artificial turf surface. Alton B. Daniels Field is a regulation sized baseball field with artificial turf. Volunteer Field regulation sized baseball field with natural turf. All three fields have lights, seating, press boxes and scoreboards. Kiwanis Meadows, also located at

Volunteer Park, has a multi-use field which is surrounded by a paved walking path, there is children's play equipment, picnic shelter, and a basketball court. There are 45 acres of wetlands and open space. An improved cross-country course is also located in this area.

Washington Park (Sunset Avenue). This 220-acre park juts into Rosario Strait on the western edge of Anacortes, offering territorial views. The park has a day use area and overnight camping facilities. At Sunset Beach, on the north shore, there is a boat launch, restrooms, picnic shelters, playground and open play area. There are 75 campsites, restrooms, showers and laundry services in the overnight area. Picnic sites and car pullouts provide beach access along Green Point, the west shoreline. A 2.3-mile loop road provides access to several shoreline areas and a viewpoint of Burrows Bay. The loop road is used by cars, cyclists, joggers and walkers.

John and Doris Tursi Park (West 12th and Pennsylvania Avenue) features a small pond and open, covered log structure, plus playground equipment including a climbing area, swings and a slide.

29th Street Playground (29th Street and "Q" Avenue) is a half-acre playground on "Q" Avenue. There is children's play equipment on the site.

Anacortes Community Forest Lands (ACFL). Anacortes owns approximately 2,800 acres of Anacortes Community Forest Lands (ACFL) in several large tracts. These include Little Cranberry, Heart Lake (the former State Park lands were acquired in 2002), Whistle Lake and Mt. Erie. The Forest Lands are within the city limits and include forests, lakes, streams, wetlands and meadows. Fifty miles of trails provide public access to and through the Forest Lands. A full-time forest manager, trail maintenance worker and seasonal maintenance crews are employed by the Parks and Recreation Department to manage the land and maintain trails and facilities. The Forest Lands Management Plan covers management units, use zones and critical habitat areas. The Forest Advisory Board, five members appointed by the Mayor and City Council, oversees the implementation of the management plan and develops policies. A trail committee representing various user groups has developed trail and user group policy and has suggested trail etiquette to encourage responsible use of the forest lands. A Conservation Easement Program was initiated in 1998 whereby one acre of land is protected in the ACFL for every \$1,000 donated. The easements protect the land from logging, mining and development. Donations are placed in the Forest Endowment Fund and interest earnings shall be used for the support and enhancement of the Forest Lands as budgeted by the City Council with the advice of the ACFL Advisory Board.

To date the ACFL contains about 2,900 acres of forest. There are three main areas of the Anacortes Community Forest Lands: Little Cranberry Lake, Whistle Lake and Heart Lake.

Little Cranberry Lake Forest Lands (off of Georgia Avenue). This area includes approximately 703 acres around Cranberry Lake. The site is largely undeveloped Anacortes Community Forest Lands maintained by the Parks Department. Five public street ends provide public access, and limited parking, to trail heads.

Whistle Lake Forest Lands and Mt. Erie include approximately 1604 acres, also part of the former City watershed. Whistle Lake has limited access, but there is a trail to it and around it.

Heart Lake Forest Lands is an 80-acre Community Forest Land holding at the north end of Heart Lake plus approximately 452 acres that were formerly Heart Lake State Park and were transferred to City ownership in 2002.

DRAFT

Chapter 2: Park Facilities under Other Ownership

There are other significant parks in and around Anacortes which are not owned or operated by the Anacortes Parks and Recreation Department. These help meet the needs of the community and we believe must be considered when looking at the overall parks and recreation needs of the community.

Fidalgo Pool and Fitness Center is owned and operated by the Fidalgo Park and Recreation District, created for this single purpose. The pool is 25 meters long, six-lanes and barrier free. In addition, showers, weight rooms, lockers and exercise rooms are available. The District has funded its operations on three-year levy cycles.

School House Park is a four-acre Skagit County Parks facility on Guemes Island that offers a youth baseball field, basketball court, playground and a tennis court.

“O” Avenue Beach is an area on the Guemes Channel at the terminus of “O” Avenue and 2nd Street between the Port of Anacortes’s former transit shed (currently used for Port offices and public events) and Curtis Wharf. The Port’s plan includes cleaning up and improving the shoreline, creating a public path to the beach, shoreline plantings, low impact storm water techniques and a viewpoint terrace next to Curtis Wharf. The adjacent Lone Tree Park improvement by the Port of Anacortes occurred in 2009. The area contains a plaza, lone tree, and picnic table.

Seafarers’ Memorial Park is a 1.5 acre park developed and owned by the Port of Anacortes. Located on Fidalgo Bay just south of the Cap Sante Boat Haven at the east end of Seafarers’ Way. It provides views of Mount Baker and the refineries on March Point, as well as an area for hand-launching small crafts.

A public building is used by the City’s youth sailing program and by the public for community events and meetings. There are several picnic tables and a large grassy area with pathways. The park is included in an environmental cleanup which took place in 2009-2011. After restoration of the park and marine area, it has a new shoreline with native landscaping, a permanent dock for hand-launched boats, permanent storage for small boat equipment, and improved public access.

Sharpe Park is a 75 acre Skagit County Park that offers trails, picnicking, portable restroom, saltwater vistas and an open grass area. Montgomery-Duban’s Headlands Park is a 37 acre park adjacent to Sharpe Park with trails and $\frac{3}{4}$ mile of shorelines. It is operated by Skagit County Parks and Recreation.

Deception Pass State Park is a 4,134-acre marine and camping park with 77,000 feet of saltwater shoreline and 33,900 feet of freshwater shoreline on three lakes. Rugged cliffs drop to meet the turbulent water of Deception Pass. The park is outstanding for breathtaking views, old-growth forests and abundant wildlife.

Lake Erie and Lake Campbell are within a few minutes of Anacortes, and although they have limited public access and facilities, they are available and used by many.

San Juan Passage, an approximate 100-house development in Ship Harbor area, has added one park that is available to the public. The park provides views of the Guemes Channel along with an access trail to the Guemes Channel Trail.

Guemes Mountain is a preserved area on Guemes Island that is made up a variety of public and private lands with the allowed uses during the allotted times the park is open.

Schools and School Grounds provide play areas and active recreation opportunities for children of Anacortes and Fidalgo Island. Though these are not managed by the Anacortes Parks Department, they are among the recreational assets of the community and can be considered park assets. Anacortes High School has two multi-use soccer/football fields and one artificial surface football/soccer field along with an all-weather running track. They also have a dedicated throwing area for track and field. This complex is referred to as Rice Field at Seahawk Stadium. The stadium includes covered seating with seating for over 2,000 spectators. It also includes restrooms, press box, concession stand, and a memorial to those who gave their life for our country. The Middle School has six tennis courts. The elementary schools contribute various multi-use fields, three of which are useable for minor league and recreational level softball play (one at Island View and two by the Middle School tennis courts). There is a little league / youth fast pitch / adult softball field at Island View School. Mt. Erie, Fidalgo, Whitney and Island View Elementary schools provide play areas for small children. The City of Anacortes has an existing Interlocal Agreement with the Anacortes School District to share indoor and outdoor athletic facilities.

Swinomish Links Golf Course is an 18-hole golf course open to the public that is owned and managed by the Swinomish Tribal Community.

Swinomish Channel Boat Launch is located on the Swinomish Channel under Highway 20 and is operated by Skagit County Parks and Recreation.

Tursi Trail connects south Fidalgo Island to access points near the ACFL. The trail starts at Pass Lake and runs north to Mt. Erie.

Young's Park is a 13-acre Skagit County waterfront park on Guemes Island that includes picnicking and saltwater access.

Chapter 3: Recreation Programs

The *Anacortes Parks and Recreation Department* offers diverse community-wide programs to fulfill the recreational needs of youth, adults and, seniors.

The *A Town is Our Town* publication has become the main communication tool for the Parks and Recreation Department. It features information about department sponsored recreation programs and special events as well as information about Washington Park; Forest Lands activities including volunteer days, information regarding forest use, safety, and upcoming meetings; and Friends of the Forest sponsored hikes and fundraising events and Anacortes Senior Activity Center programs, Anacortes Public Library events and programs.

Non-departmental organizations that have submitted information in the publication include but are not limited to: Fidalgo Pool and Fitness Center, Boys and Girls Club, The Dance Center, Soo Bahk Do, Anacortes Community Maritime Center, American Red Cross, Co-Op Preschool, After School Arts Program, Anacortes Senior College, Yoga studios, Class ACT, Community Gardens and Anacortes Arts Commission.

Youth recreational activities include an extensive offering of youth sports leagues and camps, a seasonal small boating program (sailing) and various recreational classes including but not limited to: toddler play group, pee wee sport program, bowling, golf, drum lessons, flag football clinic, youth sport leagues, youth enrichment classes and tennis.

Adult activities include several recreational drop-in sport programs as well as a Co-ed Softball League and various recreational classes including but not limited to: Tai Chi, Dog Obedience, Yoga, and tango dancing. Generally activities for the senior population are organized by the Anacortes Senior Activity Center. Special Programs and Events include seasonal parties or celebrations, school vacation activities, special youth events and family events. Examples include a Daddy Daughter Dance, a potential Mother & Son dance, Kids-R-Best Fest, Breakfast with Santa, Holiday events, Kids Fishing Derby, summer camps and special road and trail run events.

Other Program Offerings

The City of Anacortes contributes an informative newsletter to the publication *A Town is Our Town* with information on recent city projects, Library programs and Museum events as well as information about Police, Fire, Sanitation, and Public Works.

The *Anacortes Community Youth Center* that will be operated and maintained by the City is still in the planning phase, however the goal is to provide a home for the Boys and Girls Club, have a facility where youth can gather, have offices for the Anacortes Parks & Recreation Department and available space for lease to local organizations that all support youth enrichment. Gym space is going to be a part of the facility and coordination of that gym space as well as the rest of the facility with facilities in the general vicinity (Pool, Senior Activity Center, Schools, etc.) will be critical to the success of the area.

The **Anacortes Museum and Anacortes Public Library** offer many programs and events. The Museum offers regular exhibits in its Carnegie Gallery and also operates the W.T. Preston and Snag boat Heritage Center. The Library offers regular Jazz performances on Sunday afternoons as well as many special events for children and adults.

The **Fidalgo Pool and Fitness Center**, under the direction and ownership of the Fidalgo Park and Recreation District, a completely separate entity from the City of Anacortes, sponsors fitness classes for all ages. Swimming activities, exercise classes and fitness equipment are available as well. Friends of Fidalgo Pool and Fitness Center encourages public use and distributes program and pool information. The Fitness Center organizes aerobic classes, strength building, self-defense and weight training.

The **Boys and Girls Club of Anacortes** offers extensive afterschool, weekend and summer programs for children of all ages.

Privately owned health clubs also serve the fitness and weight training needs of residents on Fidalgo Island. These businesses operate on a for-profit basis and are not subsidized by any governmental agency.

A **variety of privately organized youth recreational activities** are offered locally. They include Little League baseball, American Legion baseball, youth football, wrestling, AAU Basketball, Anacortes Lacrosse Club, Mountain Bike Club, select soccer and other programs. These and other groups like these have a significant effect on the demand for facilities. It is important to keep up with what groups come and go and what their interests are.

The privately owned **Fidalgo Danceworks** provides a variety of dance classes to participants of all ages and abilities. Classes are offered year-round and at various times throughout the day.

The **Anacortes School District's After School Arts Program (ASAP)** offers sessions of art offerings three times a year for any student grades K-6. A host of ever changing classes sponsored by the Anacortes School District include such things as dance, mosaic, drawing, knitting, guitar, digital photography, yoga, theatre, jewelry, painting, and art starts for K-2.

Anacortes Arts Festival offers more than just their annual 3 days festival each year in August. They also provide a Color Run each year in April, various spring time events and supports art education.

The **Anacortes Small Boat Center** is working towards some sort of small boating programming in cooperation with the Parks and Recreation Department.

The **Anacortes Senior College** is an all-volunteer organization that offers courses to anyone aged 50 years or older. Classes are six weeks long, meeting once a week for two hours with three sessions per year. The classes generally meet in the afternoon at the Anacortes Middle School.

The ***Port of Anacortes*** also sponsors public programs, many of which relate to marine activities. An annual Waterfront Festival is co-sponsored by the Anacortes Chamber of Commerce and the Port of Anacortes. Activities include vessel tours, safety displays, music, art fair and boat show.

The Port sponsors a summer concert series as well as in-water boat shows. An annual salmon derby is held at the Cap Sante Boat Haven and the Port sponsored the annual Trawler Fest in 2008 and 2009, with future years looking likely.

Anacortes Chamber of Commerce puts on various community events, some of the larger events are Bier on the Pier, Anacortes Spring Wine Festival, Waterfront Festival, Brewgrass event and the Anacortes Boat and Light Show.

DRAFT

CHAPTER 4

PUBLIC INPUT SURVEY AND PUBLIC MEETINGS

SUMMARY OF PUBLIC INPUT

The adoption of the Anacortes Parks and Recreation Plan is an undertaking which brings past documents and current opinions into a single planning document, a process required by the Recreation and Conservation Office (RCO) to qualify for grant funding. The State's Growth Management Act also recommend it. This process started with three public input meetings regarding Recreation Programs and Parks and Facilities that were held at City Hall on February 12, and at the Senior Center on February 17 and 22, 2018

Eccos Design was hired to assist in the preparation of the public input component of the plan. , The two main sources of information used to quantify community desires and establish program and/or facility priorities were an online public opinion surveys and open house meetings. A detailed data table of the input from the three open house public meetings and the month long public input survey is found in appendices of this Comprehensive Plan. This chapter contains the summaries of comments obtained through this interface with the public.

A draft plan was compiled by staff based on the public meetings and the public opinion survey results. The Recreation and Conservation Plan for Washington State from the Recreation and Conservation office of Washington State was also used to determine statewide trends as well as planning from the statewide perspective. The draft plan was brought to the Parks and Recreation Advisory Commission in April of 2018 for review by Commissioners and to open the draft plan to public comment. The Anacortes Planning Commission and the Anacortes City Council held subsequent meetings, with the final plan formally adopted by the City Council.

SUMMARY OF THE 2018 PUBLIC INPUT SURVEY

For the 2018 Parks and Recreation Comprehensive Plan Update, Anacortes Parks and Recreation (APR) prepared a public input survey that was delivered via the internet. This survey was open for the entire month of February 2018. The overall goal of the opinion survey was to provide APR with estimates of residents' preferences for parks and recreation facilities development and priorities for future planning. This survey was open to all residents of the City, as well as, non-residents and was advertised in the following ways:

1. Two press-releases in the Anacortes American

2. An invitation, and multiple reminders were sent to the entire customer database of the Parks and Recreation Department
3. A link listing on the City of Anacortes web page, as well as, the Parks and Recreation Department web page
4. An invitation was sent to all City department heads
5. An invitation was sent to Parks Foundation Members for re-distribution to other user groups
6. The survey was advertised during the public meetings held in February of 2018

At the end of the public opinion survey, over 442 households completed the survey. Once a household (computer) had completed the survey, software allowed the survey to be modified but not taken a second time. This placed some sidebars on attempts to complete more than one survey. The survey was delivered in English and a printed version was made available for non-computer users.

It is acknowledged that the public input survey is limited as use for representative data because participation was self-selecting. This sampling of self-chosen participating households was just another tool utilized for obtaining input from the public. It is an augmentation of all other means of obtaining the public's recreational needs.

Participant Demographics:

Most people who participated in the opinion survey were from Anacortes. As is often the case with public input, the senior population participated in a greater proportion than the general population. It is interesting to note that 49% of respondents were age 50 or older. See the demographic summary below.

Table 2.1
Demographics
N= 442 HOUSEHOLDS

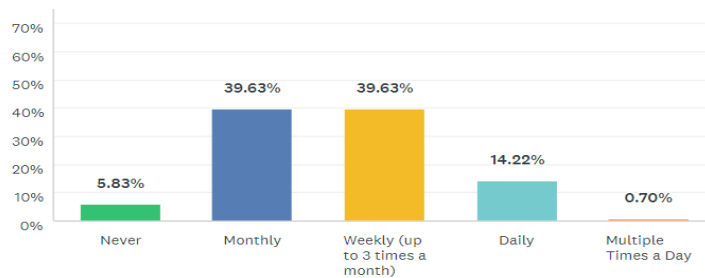
Age		Children at home	
17 or younger	2%	Yes	53%
18-20	1%	No	47%
21-29	2%		
30-39	23%	Residency	
40-49	23%	Resident of Anacortes	78 %
50-59	16%		
60 or older	20%		
70 or older	13%		

Park Usage and Importance:

Nearly all (90%) of the respondents reported their household had used a park facility in the past 12 months. Of those, almost half (44%) reported that they use the park on a daily or weekly basis. (Figure 2.1)

Figure 2.1
Frequency of Park Use

Answered: 429 Skipped: 13



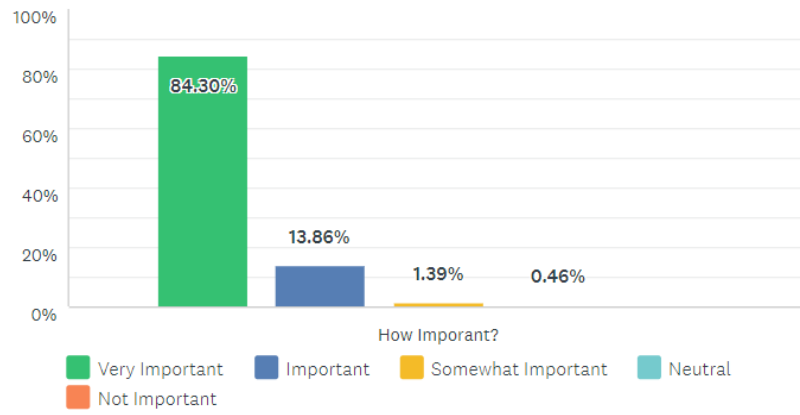
Of those who do not use Parks and Recreation Services (6%), the most prevalent reasons were (1) busy, (2) other interests. (See Comments in Appendix 3).

Nearly all respondents (98%) ranked Parks and Recreation Services as Important or Very Important to maintaining the quality of life in Anacortes (Figure 2.2).

Figure 2.2

Importance of Parks and Recreation Services

Answered: 433 Skipped: 9



Ranked Priorities

Respondents were asked to rate the importance or un-importance of different programs and facilities to determine what was perceived as important. The table below reports the percentage of respondents that said the following activities or facilities were very important or somewhat important.

Table 2.2
Importance of Facilities and Programs

Facilities/Programs	Very or Somewhat Important
Parks (General)	95%
Trails and Pathways	95 %
Public Beach / Water Access	94 %
Open Space or Natural Areas	90 %
Swimming Pool or Aquatic Center	79%
Children's Play Equipment / Playground	78 %
Community Events	77 %
Sports Fields	76 %
Sports Courts	70 %
Exercise/Fitness	67 %
Gym Space	65 %
Boat Launch Area	63 %
Small Boat Facility	55 %
Mountain Bike Skills Area	46 %
Dog Parks	49 %
Spray Parks	49 %
Skate Park	38 %
Bike Pump Track	36 %
Disc Golf	25 %

Residents were then asked to rank the top three priorities from the list of facilities and programs above. These results are summarized in Table 2.3.

Table 2.3
RANKED Importance of Facilities and Programs

Facilities/Programs	
1. Trails and Pathways	HIGHEST
2. Open Space or Natural Areas	
3. Public Beach / Water Access	
4. Swimming Pool or Aquatic Center	
5. Sports Fields	
6. Parks (general)	
7. Children's Play Equipment / Playground	
8. Mountain Bike Skills Area	
9. Community Events	
10. Bike Pump Track	
11. Small Boat Facility	
12. Sports Court	
13. Boat Launch Area	
14. Exercise Fitness	
15. Dog Parks	
16. Disc Golf	
17. Other	
18. Spray parks	
19. Skate Park	LOWEST

It was anticipated that trails, sports fields/courts, and mountain biking would be important to the community so each of these areas had a follow up question regarding prioritized preferences in each of those categories.

Trail Type Priorities

Table 2.4
RANKED Trail Type Priorities
N=278 Households

Facilities/Programs	Number of respondents listing as top category
1. Paved Linear Trails (IE Tommy Thompson / Guemes Channel Trail	299
2. Nature Trails	291
3. Waterfront Trails	268
4. Soft Surface Walking Trails	143
5. Mountain Bike Trails	121
6. Sidewalks	80
7. Other	7

Sports Fields Priorities

Table 2.5
RANKED Sports Field Priorities
N=260 Households

Facilities/Programs	Number of respondents listing as top category
1. Soccer	222
2. General Open Field Space	222
3. Baseball	124
4. Lacrosse	61
5. Softball	57
6. Football	44
7. Other	22

Sports Court Priorities

Table 2.6
RANKED Sports Court Priorities
N=260 Households

Facilities/Programs	Number of respondents listing as top category
1. Basketball	194
2. General Open Gym Space	194
3. Tennis	144
4. Volleyball	98
5. Pickle Ball	69
6. Other	16

Mountain Bike Priorities

Table 2.7
RANKED Sports Court Priorities
N=219 Households

Facilities/Programs	Number of respondents listing as top category
1. Single Track Trails	177
2. Skills Areas with Structures	160
3. Wider Cross-Country Trails	138
4. Pump Track	103
5. Other	17

Community satisfaction:

Another important factor queried in the survey was satisfaction with the current parks system. In general, the community appears satisfied with the conditions and activities of the city parks in Anacortes. The Tommy Thompson Trail, which is heavily used, is at the top. At the bottom is Volunteer Park, but which still has more people reporting high levels of satisfaction than not.

This area of the public input survey garnered a lot of individual comments that are summarized in Appendix A3

Table 2.8
Existing Park Satisfaction
N=345-404 Households

Location	Very Satisfied/Satisfied with <i>Activities</i>	Very Satisfied/Satisfied with <i>Condition</i>
Tommy Thompson Trail	84%	87%
Washington Park	81%	85%
Storvik Park	77%	73%
Guemes Channel Trail	69%	67%
Volunteer Park	67%	64%

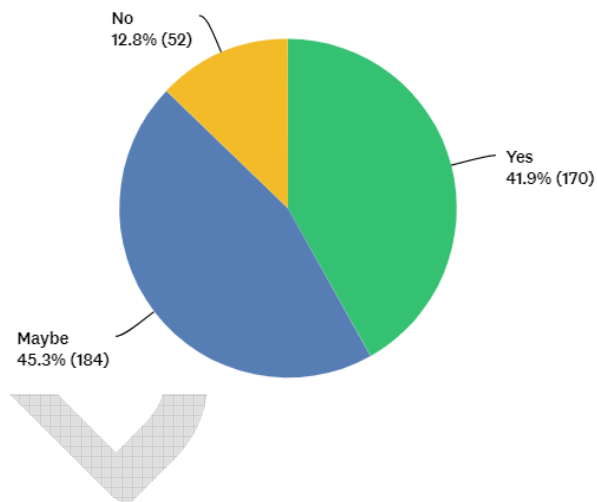
Park Funding:

Understanding how to pay for any increase in level of service is an important component in considering any desire for more park facilities. This survey asked respondents to consider a tax increase in the form of a levy. In other words, are people willing to “back their respective responses with their money?” The data may have significant value if Anacortes residents ever decided to form a taxing district to support parks.

Figure 2.3
Park Funding

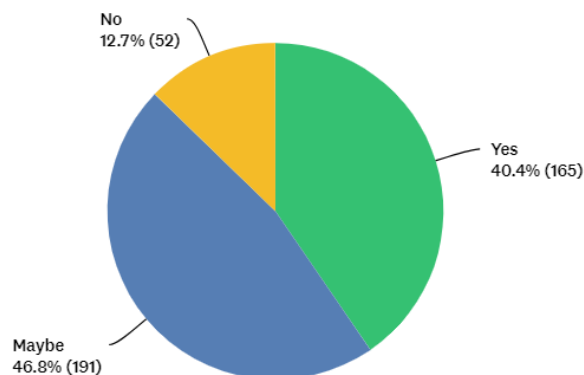
Some communities have chosen to tax themselves to increase the number of parks and recreation in their community such as the Bellingham Greenways Levy and the 2013 Seattle Parks Levy. Would you support increased taxes or levies to support expanded or enhanced recreational opportunities in Anacortes?

Answered: 406 Skipped: 36



Would you support increased taxes or levies to support long term maintenance / replacement of infrastructure (playground equipment, utilities to campground at Washington Park, backstops, artificial turf, etc.) in parks and park facilities around Anacortes?

Answered: 408 Skipped: 34



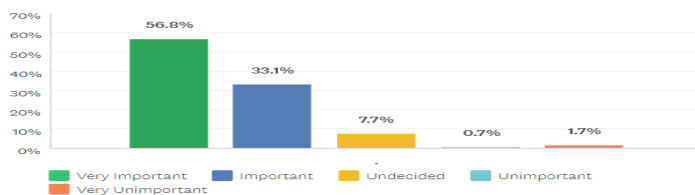
Recreation Programs:

Beyond facilities and sports programs, interest in community enrichment and recreation programs was surveyed. Most residents (90%) feel these programs are important.

Figure 2.4
Recreation Programs

How important do you feel community events, classes, sports programs, and enrichment activities are to quality of life

Answered: 405 Skipped: 37

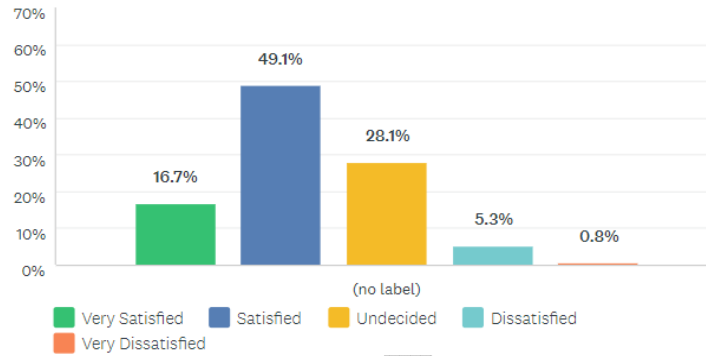


The follow-up question related to satisfaction with the selection of recreation activities offered by APR. There is greater satisfaction than not, but the greatest response is neutral or undecided.

Figure 2.5
Recreation Programs Satisfaction

How satisfied are you with the selection of classes, sports programs, and enrichment activities currently offered by APR

Answered: 395 Skipped: 47



There was an open-ended text follow-up question asking people what types of classes, sport programs and enrichment activities they would like to see more of. Following in Table 2.9 are the most requested program offerings.

Table 2.9
Open Ended Requested Offerings
Only suggestions with 5 or greater responses are listed

classes, sport programs and enrichment activities	Number of times requested
Sailing and small boating	38
Adult Classes and activities (not sports)	16
Adult Sports	14
Youth sports	13
Youth Club activities (not sports)	11
Mountain Biking events and classes	8
Yoga	8
Adult Tennis	7
Dancing Classes	7

There was an open-ended text follow-up question asking people what types of community events they would like to see more of. Following in Table 2.10 are the most requested program offerings.

Table 2.10
Open Ended Requested Offerings
Only suggestions with 5 or greater responses are listed

Community Event	Number of times requested
Youth Club activities (not sports)	11
Regattas, boat races	6
Mt Bike races and organized rides /days	5
Park Volunteer days to assist in maintenance or projects	5
Music Festivals (adults and kids)	5
Movie Nights	5
Mother / Son and Father / Daughter dance	5

2018 PUBLIC MEETINGS/PUBLIC COMMENT

Three public meetings were held in the City during the Plan Update process. These meetings were multi-purpose; to inform people of the comprehensive plan update process, advertise the public opinion survey, inform participants about the existing system and to hear issues, concerns and feedback on the services provided.

The meetings were held “open house” style with a series of boards placed around the room where participants could see a listing of facilities within a various ‘park type’ (IE community events OR trails OR sports fields, etc.). At each of these stations, participants were given the chance to ask any specific questions and comment about the type of facilities they preferred. Prompts were given in different ways to allow participants to talk both about their “likes” and “dislikes”. For example, such prompts included: “What I like about ‘Athletic Fields’ in the parks system is....” Or “What I would like to see different about ‘Athletic Fields’ in the park system is...”. Participants were welcome to register their open comments and most people contributed with suggestions and comments.

Table 2.11
Open House Comment Summary on Facilities

Facility or Use	What I like most...	What I would like to see different...
Open Space/Natural Areas	Strong appreciation of Washington Park. Appreciation of all natural areas and open spaces.	Erosion, noise, lighting, garbage, dogs, and trails in wetlands are concerns. Open space for just open space desired, IE limit access to these areas. Comments centered on issues at Smiley's, cap Sante, Kiwanis, and Washington Park
Linear Parks and Trails	Strong appreciation of multi-use Trails and Linear Parks. Trails seen as quality of life issue. Appreciation of SHIP, GCT, TT.	Strong concern about GCT in wetland buffer and being too close to shoreline. Some stated preference for soft vs hard trails.
Community Enrichment (Special events, leagues, camps, etc.)	Strong appreciation of major community events	More movies, add adult age programs, wildlife centered programs, and water-based activities.
Day Use and Neighborhood Parks	Appreciation of Wash Park, Storvik and Tursi. Like multi-use in these types of parks.	Concerns about dog, cars on WA Park Loop road and light spill from Volunteer Park. Maintenance is perceived as overdue at Rotary, non-field area of Volunteer Park and Storvik Park. More zip lines.
Special Use Parks	The Depot and Wash Park are strongly appreciated.	Several comments about Wash Park needing an updated boat launch and more restrooms.
Athletic Fields / Courts	Appreciation of fields at Volunteer park and the quality of the condition and maintenance of that facility.	Concern about Smiley's bottom being impacted by ballfields. Request for maintenance upgrades.

In addition to existing facility-oriented questions, one station was dedicated to gauging people's interest in funding strategies. People were asked their interest in supporting increased taxes or levies for either expanding parks or increased taxes and levies for supporting maintenance and replacement of park infrastructure. There was an approximate 3:2 ratio of support to non-support for increasing taxes or levies, or stated another way, there was slightly more support than not for these potential increases.

Table 2.12
Funding Strategies

Funding Strategy	Would Support...	Would not support...
	General support for both expansion and maintenance taxes and levies, slight preference for maintenance.	No new taxes were documented by many participants. Request for more transparency in current funding and spending was noted.

Finally, one station was set up to ask participants what they might like to see or not see in a possible future community center.

Table 2.13
Funding Strategies

Future Community Center	Would like to see included...	Would NOT like to see included...
	Multi use space, meeting space racquet court space, gym space, teen focus was noted	Nothing specific was listed as not desirable, but comments were noted that the expansion of current be considered

It is noted that a number of those attending were there to promote a specific concern or recommend a specific interest be met. The complete list of comments can be found in Appendix One.

Chapter 5: Park Needs & Standards

Developing standards / guidelines for the type and quantity of park and recreation facilities needed is approached in a variety of ways by each community. These standards are meant to serve as a guide for local planning agencies to best serve the needs and desires of their communities.

The National Recreation and Parks Association (NRPA) developed a standards and guidelines publication years ago that defines the standards in the following way:

- a national expression of minimum acceptable facilities for the citizens of urban and rural communities.
- a guideline to determine land requirements for various kinds of park and recreation areas and facilities.
- a basis for relating recreational needs to spatial analysis within a community-wide system of parks and open space areas.
- one of the major structuring elements that can be used to guide and assist regional development.
- a means to justify the need for parks and open space within the overall land use pattern of a region or community.

NRPA standards were developed to address average recreation service based on population (e.g. one facility/5,000 residents) or service radius (recommended distance from the park or facility). Suburban or rural cities generally use the population related standards, while dense cities may use the service radius method.

In the development of this plan it was determined that Anacortes is a unique community with significant resources that do not fit into existing NRPA park classifications. The emphasis of this plan is the integration of all public resources, not just those owned or operated by the city, so we will use the standards of specific needed facilities. We limited that list to quantifiable items (ball fields, play equipment, etc.) rather than general park references (neighborhood parks, waterfront parks, etc.). These facilities will at times make up a park, but they may also be on school grounds or some other piece of property. We feel that if we meet specific facility needs, the location, size, etc. of the parks that house them will fall into place. For these planning purposes then it is generally assumed that additional park amenities may be needed for any of the listed elements (for example ball fields may need parking lots, drinking fountains, benches, picnic tables, restroom facilities, etc.)

The following charts show what the Anacortes recreation demand is and how it is being/will be met now and in the future. Population estimates (from Table 1) are used for the analysis. These firmly established Anacortes Level of Service Standards consider the historical provision of facilities in the community adjusted by public input.

Chapter 6: Facility Standards

The following summary of facility types and their counterparts in the Anacortes Park system summarizes the recommended improvements or the approach to further development consistent with public input and staff direction. Elements of the recommendations for improvements can be found in the Action Plan within Chapter 7.

Regulation baseball

NRPA Standard:	1 Field per 5,000 Population
Existing Facility Ratio:	1 Field per 4,766 Population (Anacortes)
Facility Ration 2036:	1 Field per 6,369 Population
Recommended Standard:	1 Field per 7,500 Population

Recommendation: The regulation size baseball fields are Alton Daniels and Volunteer. Alton Daniels is a lit artificial turf field that counts as 2 fields in our system and Volunteer Field is a lit field and counts as 1.5 fields for a total of 3.5 fields. No additional regulation baseball fields are needed at this time or in the future unless demand changes.

Youth league baseball fields

NRPA Standard:	1 Field per 5,000 Population
Existing Facility Ratio:	1 Field per 4,766 Population (Anacortes)
Facility Ration 2036:	1 Field per 6,369 Population
Recommended Standard:	1 Field per 5,000 Population

Recommendation: There are 3.5 Little League fields (Storvik, Island View and Ace of Hearts / Rotary Park) in Anacortes. Storvik has lights and is counted as 1.5 fields. The demand for Little League Fields is met for now but expansion may be needed as the population grows.

Fast pitch fields

NRPA Standard:	1 Field per 5,000 Population
Existing Facility Ratio:	1 Field per 8,340 Population (Anacortes)
Facility Ration 2036:	1 Field per 11,146 Population
Recommended Standard:	1 Field per 7,500 Population

Recommendation: There are 2 Fast pitch fields in Anacortes. Margarete and Don Daniels field is lit and has artificial turf so counts as two fields in our system. There is a need for a portion of a field to be added to the park system now which may be combined with another type of field to meet the growing need in the future.

Football fields

NRPA Standard:	1 Field per 20,000 Population
Existing Facility Ratio:	1 Field per 8,340 Population (Anacortes)
Facility Ration 2036:	1 Field per 11,146 Population
Recommended Standard:	1 Field per 10,000 Population

Recommendation: There are currently 2 football fields (Rice Field is lit and an artificial surface so counts as 2 fields in our system) in Anacortes. No new football fields are needed at this time, although improving or adding practice fields is needed. If a cooperative arrangement with the Anacortes School District to help those improvements occur were possible, it should be explored.

Soccer fields

NRPA Standard:	1 Field per 10,000 Population
Existing Facility Ratio:	1 Field per 4,170 Population (Anacortes)
Facility Ration 2036:	1 Field per 5,573 Population
Recommended Standard:	1 Field per 5,000 Population

Recommendation: There are four soccer fields available in Anacortes (two at Smiley's bottom, one at Storvik Park, and newly constructed Kiwanis Meadows at Volunteer Park). Both Storvik and Kiwanis Meadows have amenities. None of these fields are regulation sized or have full amenities. There has been an expressed desire for a regulation soccer "pitch" in Anacortes which was supported by the public input we received during this master planning process. With the growing popularity of soccer and lacrosse additional field space will be needed in the future.

Tennis courts

NRPA Standard:	1 court per 2,000 Population
Existing Facility Ratio:	1 court per 1,853 Population (Anacortes)
Facility Ration 2036:	1 court per 2,477 Population
Recommended Standard:	1 court per 2,000 Population

Recommendation: There are currently six courts at the Middle School (Anacortes School District owned and maintained), one court at Clearidge (city owned and maintained), and two courts at Fidalgo School (Anacortes School District owned and maintained). The City should do what they can to maintain the existing inventory, improve access to courts and amenities and locate two courts with lights at some future location.

Outdoor Basketball courts

NRPA Standard:	1 Court per 5,000 Population
Existing Facility Ratio:	1 Court per 3,336 Population (Anacortes)
Facility Ration 2036:	1 Court per 4,458 Population
Recommended Standard:	1 Court per 4,000 Population

Recommendation: Anacortes currently has five courts (two at Storvik Park, one at Whitney School, one at Volunteer Park and one at Tursi Park). The City should maintain its existing inventory and explore the possibility of a covered outdoor facility. The City should work with the School District to improve their outdoor facilities and add courts as opportunities present themselves.

Play Structures

NRPA Standard:	No standard
Existing Facility Ratio:	1 Structure per 1,668 Population (Anacortes)
Facility Ration 2036:	1 Structure per 2,229 Population
Recommended Standard:	1 Structure per 1,500 Population

Recommendation: There are currently ten publicly available play structures in and around Anacortes (29th Street Playground, Storvik Park, Washington Park, Shugarts Playground, Guemes Island, Island View School, Whitney School, Mt. Erie School, Fidalgo School and Tursi Park). Play structures are needed in the Northern Pacific Addition. The City should maintain/improve its existing inventory and add structures as opportunities arise and population growth continues.

Smooth Surfaced Walking Paths

NRPA Standard:	No standard
Existing Facility Ratio:	1 mile per 2,174 Population (Anacortes)
Facility Ration 2036:	1 mile per 2,906 Population
Recommended Standard:	1 mile per 2,000 Population

Recommendation: There are currently 7.67 miles of Smooth Surfaced Walking Paths in and around Anacortes (Thompson Trail 3.92, Washington Park 2.2, Storvik Park .25, Rotary Park .3, Guemes Channel Trail 1). A multi-use trail connecting the Marches Point Park and ride with Washington Park should remain a high priority project.

Covered Picnic Shelters

NRPA Standard:	No standard
Existing Facility Ratio:	1 Shelter per 2,780 Population (Anacortes)
Facility Ration 2036:	1 Shelter per 3,715 Population
Recommended Standard:	1 Shelter per 3,000 Population

Recommendation: There are currently six covered picnic shelters in and around Anacortes (Washington Park upper beach, Washington Park lower beach, Rotary Park, Bowman's Bay, Rosario Beach and Torsi Park). There remains a need for one additional reserveable picnic shelter that needs to be located where there is parking and a restroom. This could fit in as part of any development of the Heart Lake area.

Chapter 7: Parks & Recreation Big Issues

This section of the plan is arguably the most important chapter in that it lays out the large scale issues and projects that need to be addressed in the coming years. It highlights the most common priorities, along with some recommended actions. Following is a list of items as identified through our public participation process and staffs understanding of needs.

FUNDING: It has become clear that one of the major issues facing the Parks system in Anacortes is the long term funding of infrastructure and expansion. If the City wants to keep its existing Parks and Open Spaces adequately maintained and continue to expand to meet the growing needs it is going to have to find the financial resources to do that. All the planning will be for naught and go unrealized if the funding issue is not addressed. After the adoption of this plan it is imperative that the City seriously look at the various mechanisms for the long term funding of the Park system (REET, LTAC, General Fund Revenues, Bonds, Levies, alternate taxing districts, Grants, Donations, etc.) to come up with a system to address the long term needs that exist.

GUEMES CHANNEL TRAIL: For more than a decade, the City's elected leaders have been urging various City Departments to plan, build and maintain this extraordinary trail route connecting the Tommy Thompson Parkway with Washington Park, and many points in between. APRD staff have taken the lead, and the mile + route from the Edwards Way cul-de-sac east to Roadside Park has been built and is well used on a daily basis. Advocates of non-motorized travel continue to strongly support trail construction efforts, as do many recreational users, ranging from walker to bicyclists.

Concerns have recently been raised regarding the SHIP wetland, and the potential for the trail to be routed thru its buffer. City staff will continue to manage transparent planning processes, and follow all required permitting actions associated with the construction of the trail. In order to protect the environment and provide lasting enjoyment for future generations the City should work hard to find the balance that allows the all of the public access to some of its special places while protecting and enhancing the environment.

Staff will also continue to work closely with elected officials throughout the completion of the trail.

APRD staff has received some input regarding the multiple use nature of the trail. A small number of walkers have asked that bicycles not be allowed on the trail. Staff have heard a larger voice asking for multiple use, as the vast majority of the City's trails now are. APRD staff plans to continue to plan for and develop the Guemes Channel Trail as a multiple use facility.

COMMUNITY CENTER: The City, along with the School District and the Port of Anacortes, is taking a long look at the kinds of indoor facilities available to the public. The City has been asked to provide space for a variety of groups and activities ranging from Boys and Girls Club

to meeting rooms, in door gym space to a Teen Center. APRD staff will continue to work with the community and elected leaders in the pursuit of a firm plan and funding package for the development and management of a community center.

STORVIK PARK: This long time hub of community recreation has undergone many positive upgrades over the last decade, including our town our park, the construction of a spray pad, new restrooms installed and the transition from a dirt to a grass infield at the baseball/softball facility. Additional improvements to the general condition of the multiuse field area are still needed. The northwest corner of the park emerges as the next most likely area to upgrade. Public input for this site has included desires for a bicycle pump track, parking lot, picnic area and a licensed daycare facility. APRD staff will continue to ask the public for input on further improvements to the park. A development plan for the northwest corner is hoped for within the next two years. The Our Town Our Park playground has a separate funding source set up by the original Our Town Our Park committee that can fund maintenance and improvements to the playground. That fund needs to be put to use to help with that piece of infrastructure.

WASHINGTON PARK: While primarily funded by guests using the campground and boat launch, day use visits continue to increase by large numbers every year. Washington Park has recently upgraded its campground restrooms with a significant remodel, and hopes to improve the restrooms at the entrance of the Loop Road as well. However, the most frequently asked about park amenity is the Sunset Beach boat launch. Requests from park visitors range from double the size of the launch to increase the parking. Either one of these options would produce significant impact to the existing park and beach. Parks & Recreation Department (APRD) staff will prioritize a master planning process for the Sunset Beach area, and hope to commence such a process by the year 2020.

In addition to the boat launch, the discussion of motorized use of the Loop Road is an on-going topic for APRD staff and park visitors. Many regular walkers would prefer to see an increase in restrictions of Loop Road use by motorized traffic. However, the motorized user groups have been vocal, not wanting any more time constraints put on their enjoyment of the Loop Road. APRD staff will continue to ask the question of potential changes to the motorized/non-motorized use restrictions of the Loop Road. At this time, however, there is no plan to deviate from the 10:00AM Loop gates opening seven days a week.

NATURAL AREAS AND OPEN SPACE: The City of Anacortes is blessed with many acres of natural features within its parks system. APRD staff will continue to place a high value on the care of this land, while working to help residents and visitors enjoy them. The Parks Department will look into the possibility of giving special designations to certain areas with specific limitations on what can and cannot be done in those spaces in an effort to provide better protections for them while having them be available to the public as appropriate.

THE DEPOT ARTS AND COMMUNITY CENTER: The old train depot, now managed by APRD, has become a popular event center for the city over the last decade. Both indoor and outdoor events now fill the calendar, and the growing Farmer's Market has become a fixture for the community. APRD will continue to improve the facility, with a focus on upgrades to

the plaza and madrone grove. This will largely be accomplished by continued work on the Depot Master Plan.

PUBLIC ART: Anacortes enjoys a healthy arts community, and APRD staff have worked to enhance this along with the Anacortes Arts Commission. This has been done through a variety of public art installations, art shows at City Hall, and many other diverse events and projects. APRD staff will continue to reach out to the arts community and artists, striving for further community enrichment.

HEART LAKE MASTER PLAN: While this resource is a part of the extensive Anacortes Community Forest Lands (ACFL), much support has been heard to implement the master plan, which the community produced in 2010. The master plan includes a variety of modifications including making significant revisions to the existing gravel areas reducing the overall impervious surface and improving water runoff treatment, making a day use area with covered picnic shelter, improvements to the boat launch and swim areas, installing a restroom facility, looking into a connecting trail around the lake, etc.

VOLUNTEER PARK AND SMILEY'S BOTTOM: APRD will continue to work with the Anacortes School District, with the shared goals being directed by improved accessibility to all facilities for teams, groups and individuals interested in both organized and solo recreation activities.

OFF LEASH DOGS: Pets and their owners continue to be a passionate topic for the citizens of Anacortes, and the many thousands of park visitors we receive every year. While some would prefer no leashes required, ever, many others would like an increase in legal, off leash opportunities for the dogs. Volunteer and Washington Parks have been suggested as options for this. Other requests have come in that the City of Anacortes should do a more heavy handed enforcement of the leash law. APRD will continue to work with its citizens, visitors and the Police Department in order to provide safe play areas for dogs, their owners and those without pets.

AGING POPULATION: APRD staff will continue to develop programs and facilities that reflect and meet the needs and desires of the City' aging population.

DEVELOP MORE ATHLETIC FIELDS: APRD staff will remain vigilant for opportunities to develop and/or acquire outdoor athletic field space. Athletic fields are a big concern in all Parks and Recreation Departments and Anacortes is no exception. Field development, improvement and need needs to be closely monitored and coordinated with other entities like the Anacortes School District to make sure the demand is met in as efficient a way as possible.

COMMUNITY EVENTS: APRD is one prominent partner in the offering of annual events. While there is typically strong support for these, staff will remain open to new ideas and opportunities for change in the annual planning of community events.

PORT OF ANACORTES NORTH BASIN DEVELOPMENT: The Port of Anacortes appears likely to being moving forward with its planning for the North Basin which may

include a community events center. It will be important to work with them closely as that will impact the Depot area and that effect should be a positive one.

WALKING PATHS AND CORRIDOR CONNECTIONS: APRD continues to follow the '09 Comp Plan Recommendation: The Parks Department should work closely with other City Departments to do all it can to secure walking paths and connecting corridors with the City and around the County. A particular emphasis should be the pursuit of a waterfront trail connecting the Depot Arts Center to Washington Park. The Parks Department should also work to get bike racks installed where appropriate to assist those interested in non-motorized forms of transportation. Whenever possible, level routes and curb cuts should be incorporated to assist people with disabilities.

SMALL BOAT CENTER: APRD continues to follow the '09 Comp Plan Recommendation: APRD should work closely with other City Departments, the Port of Anacortes and the Anacortes Waterfront Alliance community group to do all it can to assist local efforts to create a small boating facility or facilities on Fidalgo Bay. Rotary Park or other park property may be able to accommodate a small boat center. This center could in turn serve as a downtown stop for kayakers traveling "water trails" in the Puget Sound.

SHIP HARBOR INTERPRETIVE PRESERVE: APRD continues to follow the '09 Comp Plan Recommendation: Continue to move forward with detailed construction drawings and bid package to get the interpretive structure to be known as the Jim Falk Interpretive Pavilion out to bid. Continue efforts with Washington State Ferries and adjacent development to secure access on either end of the trail. Ensure that any improvements made to the area are very sensitive to this Critical Area and are of the highest quality possible. Adopt a policy statement that recognizes the purpose of SHIP as to protect the wetland and marine ecosystems and to provide appropriate public access to the shoreline and natural areas at Ship Harbor. Develop a management plan for SHIP.

ACCESSIBILITY IMPROVEMENTS: APRD continues to follow the '09 Comp Plan: APRD should continue its efforts to make facilities and areas accessible to as many individuals as reasonably possible whenever it can, and work with groups representing citizens with disabilities.

Chapter 8: Goals and Policies

Goal PR-1. Park & Recreational Facilities. Provide a range of high quality and easily accessible park and recreational areas, facilities and opportunities that will serve a wide range of age groups, recreational interests and ability levels.

Policy PR-1.1. Provide park areas that are convenient to and accessible for the residents of Anacortes.

Policy PR-1.2. Provide programs for as many people of diverse abilities, ages, and genders as our resources allow.

Policy PR-1.3. Provide facilities and activities that are accessible per ADA standards and are sensitive to issues of universal accessibility in spirit. Increase awareness of accessible features via signage, publicity, and other means.

Policy PR-1.4. Provide a balance of both active and passive recreation opportunities that encourage active lifestyles, facilitate lifelong participation and generate a respect for the natural environment.

Policy PR-1.5. Develop a comprehensive multi-purpose trail system to serve recreational and non-motorized transportation functions for a variety of users, including handicapped-accessible routes where feasible.

Policy PR-1.6. Improve the arterial and neighborhood street system in the City to make provision for bicycle and pedestrian connections.

Policy PR-1.7. Support and encourage the Anacortes Community Forest Lands Management Plan's provisions for the maintenance of a trail system for recreational users.

Policy PR-1.8. Develop a long range master plan for the provision of recreational programs and services.

Policy PR-1.9. Include neighborhood pocket parks when appropriate to allow for community connections.

Policy PR-1.10. In cooperation with community partners (e.g. Anacortes School District, the Boys & Girls Club, etc.) explore options for potential development of a community center as a place where people can gather and recreate.

Goal PR-2. Shoreline Access. Increase the opportunities for public access to and enjoyment of the shorelines of Anacortes, including both physical and visual access.

Policy PR-2.1. Place a high priority on completing the multi-use trail along Guemes Channel from the Depot Arts Center to Washington Park with links to other natural areas including the ACFL and Ship Harbor Interpretive Preserve.

Policy PR-2.2. Pursue public-private and other agency partnerships in developing conveniently-spaced public access points to the Guemes Channel trail that include parking and other facilities that are designed to be compatible with their surroundings.

Policy PR-2.3. Work with the Port of Anacortes to develop and interconnect Cap Sante Marina and surrounding areas including:

- A. Continuing to support transient moorage facilities.
- B. Developing a public fishing pier.
- C. Enhancing landscaping, roadways, signage and pedestrian walkways.
- D. Developing a small boating facility and associated parking.

Policy PR-2.4. Develop a public trailered boat launch adjacent to the downtown area.

Policy PR-2.5. City owned rights-of-way or street ends that afford access to, or views of, marine shorelines should be evaluated for suitability as street end parks and/or wildlife corridors and developed as such if appropriate.

Goal PR-3. Efficient Parks Program Management. Provide parks, open space, recreation facilities, and a comprehensive recreation services program to the citizens of Anacortes in a well-run, economical and cost-effective manner.

Policy PR-3.1. Develop safe, high quality facilities that serve multiple purposes and functions whenever appropriate.

Policy PR-3.2. Avoid duplication of recreational programming with non-departmental organizations unless the demand for additional programs exceeds the supply.

Policy PR-3.3. Manage recreation on an economically sound basis, evaluating the need for fees on a case-by-case basis.

Policy PR-3.4. Provide leadership for all park and recreation activities in Anacortes by assisting other agencies, groups and individuals in their efforts to improve their quality of life. Act as a catalyst to help special interest groups organize and run their own programs, especially when for the benefit of local residents.

Policy PR-3.5. Foster and promote stewardship of the Anacortes Park and open space system.

Policy PR-3.6. Place planning emphasis on the development of a linked system of parks and open spaces.

Policy PR-3.7. Broaden the public understanding of parks to include sidewalks, boulevards, street ends and open space on other public properties.

Policy PR-3.8. When developing acquisition plans for new parks consider and provide for maintenance and operations costs.

Policy PR-3.9. Prepare master plans for development or improvement of existing parks based upon real needs.

Policy PR-3.10. Recruit, involve, and utilize volunteers in the planning and delivery of park and recreation programs.

Policy PR-3.11. Develop and implement parks and maintenance procedures that enhance the quality and durability of our park facilities.

Policy PR-3.12. Maintain adequate funding sources for parks and recreation planning, development, management and maintenance and maintain a plan for capital improvements to guide capital expenditures, utilizing City funding, grants, and fees for programs.

Policy PR-3.13. Continue to promote close working relationships with the Anacortes School District, Skagit County, the Port of Anacortes, citizen groups, volunteers and others who provide recreation programs and services including jointly funded projects where applicable.

Goal PR-4. Community Engagement. Engage the public in decisions about planning, acquisition, development and management of the park and recreation facilities and programs.

Policy PR-4.1. Maintain community engagement and a public feedback system to increase the community's awareness of and involvement in such issues as changes in recreation interests, park maintenance, city operations and services, etc. through the Parks and Recreation Advisory Committee and Forest Advisory Board.

Policy PR-4.2. Utilize the Parks and Recreation Advisory Committee and Forest Advisory Board's monthly meetings to hear public comments and take feedback on community interests and concerns.

Policy PR-4.3. The Parks and Recreation Advisory Commission will advise the City Council regarding the management of the Ship Harbor Interpretive Preserve. The Commission shall receive input from a subcommittee made up of interested community members who should have representation from environmental educators, the Shannon Point Marine Research Center, Evergreen Islands, Friends of the Forest, Anacortes School District, Samish Nation, Washington State Ferry System and others as appropriate.

Policy PR-4.4. The ACFL Advisory Board will advise City Council on management of all the lands that formerly comprised Heart Lake State Park, as well as Mt. Erie including the summit; and the area around Little Cranberry Lake dedicated in 1964 by City Council as Little Cranberry Lake Park.

Policy PR-4.5. Use a variety of modalities to communicate with the public including direct mailings, the City of Anacortes website, the government access television channel, e-mail lists, local popular press, local radio station, etc.

Goal PR-5. Parks Facilities Maintenance. Develop and implement parks and maintenance procedures that enhance the quality and durability of our park facilities.

Policy PR-5.1. Provide a high level of maintenance for all City facilities appropriate to the needs of the park.

Policy PR-5.2. Develop specific maintenance plans for some areas of the park system that address staffing priorities, equipment needs, etc.

Goal PR-6. Parks Funding. Ensure adequate funding sources for parks and recreation planning, development, management and maintenance and maintain a plan for capital improvements to guide capital expenditures.

Policy PR-6.1. Prepare, maintain and implement a comprehensive park, recreation and open space plan that fulfills the requirements of state and local granting agencies.

Policy PR-6.2. Pursue grant funding as appropriate to acquire and develop parks facilities and recreation programs.

Policy PR-6.3. Establish an operating budget that addresses the public demand, needs and interests as expressed in public opinion surveys.

Policy PR-6.4. Develop a fees and charges policy for residents of the City of Anacortes that is based on the ability to pay with costs shared between the City and the user.

Policy PR-6.5. Work with Skagit County to develop a specific approach to meeting the needs of those people living outside the City limits but likely to utilize City park and recreation services.

Policy PR-6.6. Require new residential development to provide impact fee payments to the City.

Policy PR-6.7. Adjust park impact fees to keep park facilities current with growth.

Policy PR-6.8. Foster partnerships and cooperative efforts with other agencies, jurisdictions, citizen groups and volunteers in planning for parks, recreation and open space opportunities.

Policy PR-6.9. Continue to promote close working relationships with the Anacortes School District, Skagit County, the Port of Anacortes and others who provide recreation programs and services including jointly funded projects where applicable.

Goal PR-7. Environmental Stewardship. Design, construct and manage parks facilities and programs with sensitivity to the protection and restoration of environmental resources and natural habitats.

Policy PR-7.1. Design and operate all park projects to comply with the City's Critical Areas, Tree Preservation, Storm water and Shoreline Regulations.

Policy PR-7.2. Include greenbelts in new park development or park redevelopment where appropriate; these greenbelts should include pedestrian connections, wildlife corridors and park / forestland buffers wherever practicable and reasonable.

Policy PR-7.3. Provide recreational opportunities while preserving and enhancing the resource value of each site (natural, cultural, historic, and recreational, etc.).

Policy PR-7.4. Promote stewardship of native habitat for wildlife and native vegetation where the choice contributes to habitat value in parks or areas of parks with natural lands, especially for sensitive habitats and habitats that are in decline.

Policy PR-7.5. Maintain or improve the functional integrity of water-courses, wetlands, bodies of water and their shores by keeping them in their existing natural condition where appropriate or restoring them as appropriate.

Policy PR-7.6. Continue to reduce the use of chemical fertilizers, pesticides and herbicides and to test the use of less toxic alternatives, particularly in areas immediately adjacent to waterways and wetlands.

Policy PR-7.7. Continue program to remove non-native invasive plant species from parks, the ACFL and city green spaces.

Policy PR-7.8. Increase recycling collection, purchase recycled products and promote energy conservation in parks facilities.

Policy PR-7.9. Purchase alternative fuel vehicles and requirement when appropriate for parks maintenance needs.

Policy PR-7.10. Take measures to minimize storm water runoff from park grounds using Low Impact Development (LID) when appropriate.

Policy PR-7.11. For storm water discharge from Anacortes Parks, provide treatment that effectively reduces or eliminates trash, oil, toxicants and fecal bacteria being discharged to marine water of the Puget Sound when appropriate.

Policy PR-7.12. Review and implement environmentally sound practices. This could include looking at water consumption, electrical power consumption, paper use, fertilizer use, herbicide use, gas consumption, etc.

Goal PR-8. Forestlands Management. Manage the Anacortes Community Forestlands (ACFL) with the principal goals of maintaining and enhancing habitat, aesthetic, and recreational values.

Policy PR-8.1. The Anacortes Community Forestlands (ACFL) are critical areas having the designation as a Wildlife Habitat Conservation Area.

Policy PR-8.2. Acquisition and habitat restoration funding for the ACFL, shoreline areas, and wildlife corridors will remain a high priority.

Policy PR-8.3. The Anacortes Community Forestlands should be managed to maintain their pristine and/or fragile environmental and to preserve watersheds, wildlife habitats, wetlands, and aesthetic values, while providing for appropriate low-impact recreational uses with priority for residents.

Policy PR-8.4. Continue to work towards the placement of conservation easements on all lands either currently in or added to the ACFL.

Policy PR-8.5. Continue to support the basic operation of the ACFL with General Fund dollars and augment that with interest from the Forest Endowment Fund.

Policy PR-8.6. Continue to work to find ways to fund the Forest Endowment fund either with the Conservation Easement Program or some other program that can be as successful as the CEP.

Goal PR-9. Open space connectivity. Establish and acquire a network of open space and public access corridors.

Policy PR-9.1. Develop an integrated open space network plan that identifies connection opportunities between historical, cultural, aesthetic, archaeological, biological, natural, recreational and educational sites.

Policy PR-9.2. Maintain and periodically update the “Open Space Connectivity Map” to identify greenbelt and open space areas within the urban growth area and between urban growth areas, generally consistent with the Skagit Countywide UGA Open Space Concept Plan (2009). This includes connections that link the Tommy Thompson Trail, Cap Sante, Washington Park, the downtown, marinas, city trails, schools and other assets; and links between the Community Forestlands and Deception Pass State Park.

Policy PR-9.3. Funding the protection of open space required for habitat, wildlife movement, public access, non-motorized recreational corridors, and similar purposes shall continue to be a City priority.

Policy PR-9.4. Unopened or under-developed rights-of-way shall be evaluated for use as non-motorized public and community access and wildlife corridors prior to granting any vacation or encroachment easement.

Policy PR-9.5. Consider methods to preserve areas with open space value adjacent to Anacortes Community Forestlands, including native growth protection easements and building setbacks.

Chapter 9: Park Funding Options

Funding and Financing Park and Recreation Facilities and Programs

Without a strategy for funding its development, the vision of a park and recreation system remains only in the imagination.

Often park and recreation facilities and programs are viewed as nonessential when compared with public safety, transportation and utility needs. In a household budget, parks may compare with vacation and entertainment funds, while the police and fire services may compare with the mortgage payment and weekly food budgets. Some things are essential, others can be thought of as optional. However, the health of a community often is reflected in its quality of life. The quality of life is often related to the community's environment, parks, open space, trails systems and recreational opportunities.

When designing a park, an apartment complex or a single family residence, we look at the surrounding properties to gain an appreciation for the setting. Often, we “borrow” elements of the adjacent landscape in the development of the site plan. Off-site trees, for example, can influence the placement and species selection for trees on our property. This “landscape borrowing” mirrors the use of non-park improvements to further the goals of the Parks and Recreation Plan.

Every public project should be perceived as an opportunity to implement a component of the plan. Therefore, funding for park and recreation improvements can be seen as originating from any of the budgets of the many City departments.

The committee putting this plan together wants to send a strong message that the Parks Department should do all it can to maximize every dollar spent on park and recreation improvements. The City must work with the other governmental agencies and private groups in the area to make sure there is not a duplication of services. The committee wants to see the City work with the County to come up with a funding mechanism to meet the needs of those not within the City limits but likely to utilize park and recreation services from the City.

There are many options and alternatives for funding park land acquisition, development and maintenance. These include a variety of bond and levy measures, state and federal grants, utility taxes and user fees, private donations and volunteer efforts, impact assessment fees or any other creative solution. Many of these options and alternatives typically utilized are described in the following table. The City has typically relied upon general tax revenues, LTAC and REET funds for these activities with limited success in being able to allocate the funds needed for that jobs. There is a strong need to come up with a systematic approach that makes the funding available for the long term needs of the Parks and Recreation Department.

Table 3: Funding Opportunities

Funding Type	Funding Source
City General Fund	City funds from the annual operating budget.
Capital Improvement Fund	City funds allocated to major capital projects.
One Year Special Levy	A property tax for construction and/or operation levied for only one year. Requires a 60% majority approval of 40% of the voters who voted at the last election.
Bond Measure	A property tax for the sale of construction bonds. The tax assessment can be levied up to 30 years. Requires a 60% majority approval of 40% of the voters who voted at the last general election.
Councilmatic Bonds	A tax assessment initiated by the City Council. The limit is based in a percent of the total assessed valuation of the city. Seldom used.
Revenue Bonds	Revenue from the operation of the facility pays for the capital cost and debt service. Does not require a vote of the people.
Recreation and Conservation Office	The RCO manages a number of grant sources for state and federal agencies that should be monitored closely to see if there are funding opportunities to be had.
State Legislative Funding	The City can ask its Legislators to make appropriations out of the State budget for projects in Anacortes that could include Park and Recreation facilities, etc.
Other State and Federal Granting Agencies	There are a variety of State and Federal agencies that provide grants for all kinds of programs. The City should constantly monitor those and apply as opportunities arise.
Park Revenues	Revenue from park operations is used to pay for capital projects. Washington Park and Mt. Erie Park are both facilities in the Anacortes park system that generate this type of revenue.

Volunteer Efforts	Volunteers can contribute a great deal in terms of cash, materials, and labor to park improvements.
Park Impact Fees	Development fees imposed by a county or city for park land acquisitions and development. Fees charged to developers are typically based upon a set amount per residential unit. This amount is calculated to represent the development's share of public improvements necessitated by growth.
User Fees	Cities, counties, and special purpose districts can charge fees for use of facilities or participating in programs. They are often entrance fees or registration fees. A certain level of service or development may be required to assess park and recreation fees.
Donation / Foundations	Private donations and foundations are also possible sources of assets and funding.
Special Taxing District	Some communities have chosen to fund parks and recreation through a special taxing district similar to the Fidalgo Pools taxing authority.

Anacortes Parks Foundation

The Anacortes Parks Foundation, formed in 1995, offers private support to the Parks Department in soliciting and coordinating private contributions as well as assisting with various development projects.

The Foundation has been an invaluable asset to the Parks and Recreation since its inception and the Parks Department needs to do all necessary to maintain and improve that valuable working relationship as appropriate.

Recreation and Conservation Office

For 40 years, Recreation and Conservation Office (RCO), formerly known as the Interagency Committee for Outdoor Recreation, has contributed to the state's recreational qualities and habitat conservation and interpretation through its investment of public funds in parks, trails, water access sites, wildlife habitat, and natural areas.

The RCO administers several grant programs for outdoor recreation and habitat conservation purposes. The RCO grant program requires that funds be spent for specific types of projects. To

be considered for funding assistance, most grant programs require that RCO be given assurance that the proposed project will be operated and maintained in perpetuity for the purposes for which funding is sought. Most grant programs also require that sponsors complete a systematic planning process prior to seeking RCO funding.

RCO has grant limits on most of its programs and encourages and often requires sponsors to share in the project's cost. Grants are awarded by the Committee based on a public, competitive process which weighs the merits of proposed projects against established program criteria.

There are five major RCO grant programs: Boating Facilities Program, Washington Wildlife and Recreation Program (WWRP), Land and Water Conservation Fund (LWCF), Firearms Range Program, and the Non-highway and Off-Road Vehicle Activities (NOVA).

The RCO funding programs require specific information to be gathered and presented in a planning document. This document reflects agency requirements for recreation planning. To apply in the Urban Wildlife Habitat category of the WWRP, a companion document or insert can be prepared to address habitat and wildlife issues.

Impact Fees

Impact fees are charges assessed on new development as a condition of approval to pay for public facilities needed to serve new growth.

The purpose and size of the fees must be reasonably related to the new development which creates the additional demand for public facilities. Impact fees should contribute a proportionate share of the cost and should be used for public facilities.

The state Growth Management Act (GMA) addresses “project improvements” and “system improvements” when describing impact fees. Project improvements refer to improvements as a part of the development itself. Other capital improvements generated by the development which go beyond its borders, such as the local road system linked to the development, are termed system improvements. Impact fees for system improvements need to be spent in conformance with the capital facilities plan included in the comprehensive plan.

The objective of impact fees is not to raise revenue, but to ensure that adequate capital facilities are built. An advantage of an impact fee program is that it distributes the burden of paying for growth-generated public facility costs to those most benefiting. Another advantage is that it allows developers to proceed with projects instead of waiting for public facilities to be constructed at a future date. Finally, an impact fee program allows local government to commit to constructing public facilities in a planned and systematic manner.

Recommendation: Current Parks and Recreation impact fees, \$615 per new housing unit, have not been revisited since 1998. The City should look into adjusting those fees in one or all of the following ways: Updated cost estimates, calculating inflationary figures, re-visiting listed projects, including county residents in fee calculations and asking the County to make a payment for their part of the increased services required.

Chapter 10: Specific to-do lists

The following are recommended improvements for existing park facilities and services. There are details to be worked out on each one of the items listed that are not included in this long range planning document that will need to be addressed and itemized separately.

Funding of Parks and Recreation

- 1) After adoption of the Comprehensive plan work with Council on various funding options that address the long term needs of maintenance, improvements, expansion and development of the City of Anacortes parks system. Once specific funding sources and levels have been identified there needs to be a priority system established that addresses the recommended action plan and allocates resources over time to accomplish it.

Ace of Hearts Rotary Park

- 1) Complete construction of sidewalks, dugouts at fast pitch & baseball field.
- 2) Complete construction of off-leash dog park, path, plantings, parking, restroom, and other amenities.
- 3) Pursue to possibility of daylighting Ace of Hearts Creek, and improving the adjacent wetland area. The first step in this is to determine if in fact the creek can be day lighted.
- 4) Continue efforts on back berm to grow native plants.
- 5) Improve walking trail around area.

Alice Parchman Newland Park (10 acres)

- 1) Continue tree replanting efforts.

Anchor Cove Park (5,700 square feet)

- 1) No improvements planned.

Ben Root Skate Park (.5 acre)

- 1) Work with skaters to construct improvements to the park.
- 2) Find way to include constructive street art in the park

Cap Sante Park (37 acres)

- 1) Provide a low automobile curb/railing around the parking area.
- 2) Prioritize removing invasive non-native plants from the park.
- 3) Improve trail from the top parking area down eastside of the park.

Causland Park (2.8 acres)

- 1) Design and construct restroom.
- 2) Restore the bandstand.
- 3) Continue improvements to wall in keeping with historical nature of park.
- 4) Continue large tree pruning, tree maintenance and replanting efforts at the park.

Clearidge Park (.8 acres)

- 1) Continue improvements to basketball and tennis/pickle ball court amenities.

Connectors, Pathways and Trails

- 1) Complete ACFL to Guemes Channel Trail connection where opportunities exist.
- 2) Coordinate Skagit County open space/trail corridor system as to location within Anacortes UGA.
- 3) Work with Public Works Department on non-motorized and pedestrian connections around town as opportunities present themselves.

The Depot

- 1) Complete update to master plan focusing on the north end the plaza which will likely include a new restroom, stage, grove access and display building for antique fire engine.
- 2) Maintain public art in the Madrone grove
- 3) Continue maintenance to improve health and habitat for Arbutus trees.
- 4) Work with Port on their North Basin plan to enhance the Depot area and make connections to the marina and downtown easier to find and walk.

Heart Lake

- 1) A separated bike / ped pathway is recommended as a non-motorized facilities project for the City in the transportation chapter of the Comprehensive plan is an important improvement to get people to Heart Lake safely.

Horizon Heights Park

- 1) Identify current wetlands and buffer restrictions/ opportunities.
- 2) Implement plan within permit limitations.

Kiwanis Waterfront Park

- 1) Improve native plantings and lawn area.
- 2) Consider formalizing some of the internal informal trails within the park.
- 3) Plan for Guemes Channel Trail to somehow go through the park and connect to 6th Street widened sidewalk.

Mt. Erie School/Park (0.5 acres)

- 1) No improvements planned.

Mt. Erie Park (80 acres)

- 1) Construct restroom (consider innovative construction on challenging terrain).
- 2) Repair road.
- 3) Improve parking arrangements.
- 4) Improve signage.

“N” Avenue Park (18,000 square feet)

- 1) Add bench, tables and other amenities
- 2) Remove invasive weeds on site as they appear.
- 3) Improve waterfront connector trail where possible

Park at Minnesota and West 6th

- 1) Complete park improvements as preliminarily designed.

Park at Pennsylvania Avenue

- 1) Maintain all plantings to ensure success of naturally planted areas remove invasives as necessary.

Roadside Park (0.3 acres)

- 1) Improve parking area.
- 2) Continue to clean up or cover debris and remove invasive plants.
- 3) Create overlook below parking lot and above Guemes Channel Trail.

Rotary Park (1.5 acres)

- 1) Improve a secondary unpaved trail for pedestrian and other access.
- 2) Continue removing invasive non-native plants from the park.
- 3) Improve landscaping and picnic opportunities at south end of the park.
- 4) Construct a small interpretive board.

Ship Harbor Interpretive Preserve

- 1) Continue non-native plant removal.
- 2) Finalize plans, permit and build boardwalk extension to WSF terminal and interpretive station(s).
- 3) Develop a management plan for the area that could include a “special designation” for the area with specific do’s and don’ts.

Shugarts Playground (0.5 acres)

- 1) No improvements necessary.

Storvik Park (8.7 acres)

- 1) Find alternative uses for old croquet court and shuffle board area.
- 2) Get all irrigation system working
- 3) Upgrade field and lighting.
- 4) Repair and upgrade backstop and dugouts.

Tommy Thompson Trail

- 1) Plan and construct connections to other pedestrian paths created along Fidalgo Bay as area develops.
- 2) Continue tree and shrub plantings along Fidalgo Bay to enhance shade for shore spawning fish.
- 3) Plan and complete improvements to connect to March’s Point Road park and ride.
- 4) Continue efforts to install public art along the trail.
- 5) Work with other agencies to connect trail to Berentson Bridge.
- 6) Work to remove ivy and other non-native invasive plants along the corridor.
- 7) Work with other entities to enhance shoreline south of the Grimm property.
- 8) Work to find additional parking for access along the trail including racks for bicycles.
- 9) Look for ways to develop a parking lot on the Marches Point Road side of the trestle.
- 10) Work with the DNR to consider trestle / causeway replacement options.
- 11) Develop entrance parking lot and improved access at 34th Street along with improvements to Rotary Park area.

Guemes Channel Trail

- 1) Acquire land and \or easements for Guemes Channel Trail and adjacent shoreline habitats.
- 2) Work on ways to enhance the shoreline and bank along sections of the trail, including plantings, beach feedings and other means.
- 3) Work with property owners all along the route from Washington Park to Kiwanis Waterfront Park to attempt to get voluntary easements or property acquisitions for the trail.
- 4) Work with adjacent property owners to educate about the hillside and how to make / keep it healthy.

Volunteer Park (includes Alton Daniels Field, Volunteer Field, Marguerite and Don Daniels Field, and Kiwanis Meadows; 15 acres)

- 1) Investigate low impact lighting in playground area.
- 2) Work with School District to improve pathways around area and make connections between areas.
- 3) Work to improve wetlands and buffers.
- 4) Work to install interpretive signage on the shore of the wetlands and coordinate with the Anacortes School District the possible inclusion of signs on the trail around the wetlands.
- 5) Update turf fields when funds are available.

Washington Park (220 acres)

- 1) Update master plan to include improvements to the day use areas. This should include improvements to parking areas, pathways, improved picnic shelters, improved turf in wet area, improved wetland, restroom, etc.
- 2) Repair loop road and keep up on those repairs.
- 3) Improve trail system to balance recreational goals with environmental impact.
- 4) Improve Burrows Channel look out by accommodating parking and providing viewing site while protecting meadows.
- 5) Update utility service in camp ground and picnic shelters.
- 6) Seek funding for master plan improvements. Continue to build Washington Park fund balance for maintenance and capital improvements.
- 7) Clear out, install interpretive signage and maintain shoreline trail west and north of Sunset Cove.

**SEPA ENVIRONMENTAL CHECKLIST****A. BACKGROUND** [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)

City of Anacortes Parks & Recreation Comprehensive Plan

2. Name of applicant: [\[help\]](#)

City of Anacortes

3. Address and phone number of applicant and contact person: [\[help\]](#)

Nicole Johnston, Parks Manager

City of Anacortes

P.O. Box 547

Anacortes, WA 98221

360-299-1967

nicolej@cityofanacortes.org

4. Date checklist prepared: [\[help\]](#)

February 11, 2019

5. Agency requesting checklist: [\[help\]](#)

City of Anacortes

6. Proposed timing or schedule (including phasing, if applicable): [\[help\]](#)

Planning Commission public hearing on March 27, 2019. Adoption by ordinance expected by end of July 2019. If adopted, the proposed amendments would go into effect shortly thereafter.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [\[help\]](#)

The City tries to update the Parks & Recreation Comprehensive Plan every 6 years, and at minimum every eight years (RCW 36.70A.130), as required under GMA The Parks & Recreation Comp plan was last updated in 2009.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [\[help\]](#)

Environmental review has been conducted for this proposal through this SEPA Expanded Environmental Checklist. These existing documents are relevant to the present proposal and are being adopted and used to help meet environmental review requirements pursuant to WAC 197-11-600. We expect a DNS determination to be issued on March, 8, 2019.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#)

Current projects with associated government / permit approval affecting the property covered by this proposal include the Washington Park Boat launch repair, Guemes Channel trail development, Smiley's bottom trail improvements and wetland mitigation, and the Grand View Cemetery expansion.

10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)
City Council approval or modification of these proposed amendments (by ordinance).

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

The Anacortes Parks and Recreation Department is updating its Parks & Recreation Comprehensive Plan (the Plan). The adoption of the Plan is an undertaking which brings past documents and current public opinions into a single planning document. This process will help the City to meet the overall parks and recreation needs of the community. This plan was last updated in 2009 and set goals to plan for future park and recreation needs. Within this plan, "parks" include recreational areas such as skate parks, athletic courts, multiuse pathways and trails, ball fields, playgrounds, open-spaces, public gathering spaces and critical areas for passive recreation and protection of wildlife habitat.

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

The plan would apply city wide to the management of the many parks, facilities and recreation programs that we offer. Please see attachment for a list of parks.

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

ITEMS 1 THROUGH 16 RESPONSES ARE GENERAL IN NATURE BECAUSE THIS IS A NON-PROJECT ACTION.

1. Earth

a. General description of the site [\[help\]](#)

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

- b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [\[help\]](#)
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)

The City of Anacortes, Washington is located on the northern end of Fidalgo Island. Elevations within the City vary from sea level, to 600 feet in the southwest quadrant, and to 1,270 feet at the top of Mt. Erie. Portions of Anacortes are flat, rolling, hilly, and or contain steep slopes. Soil types vary throughout City limits. Parks within the city inventory are representative of this varied terrain. Future projects may include ground disturbing activities that could temporarily increase stormwater discharge and erosion. The scope and the timing of these projects should be used as measures to limit the potential to create erosive conditions. The projects can mitigate impacts with the implementation of traditional TESC practices and BMP's.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding slopes, soils, stormwater management, and erosion.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#)

This nonproject action does not propose allowing for an increase in industrial type development that may increase emissions. Air emissions in conjunction to any proposed future maintenance and expansion construction will be De Minimis and limited to gas combustion equipment usage which should be kept minimum to limit impact.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding emissions to the air and other impacts to the air.

3. Water

- a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [\[help\]](#)
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)
- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

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

The City is bounded on three sides by 20 miles of saltwater shoreline of Burrows Bay, Rosario Strait, Guemes Channel and Fidalgo Bay. These shorelines are "shorelines of statewide significance". There are 15 named streams flowing through the city, including Happy Valley Stream, Ace of Hearts Creek, Beaver Brook, Cranberry Creek, Clyde Creek, Anaco Bourn, Morrison Run, Cedar Springs, Weaverling Rill, Miller Creek, Aqua Creek, Howard Creek, Summit Creek, and March's Run. Many of the streams have been placed in culverts, channels, or have been otherwise altered. There are three freshwater lakes within City limits, including Whistle, Heart and Cranberry Lakes, as well as a portion of the northeast shoreline of Lake Erie. Various category wetlands are found throughout the City, with major systems located within the Anacortes Forest Lands and near Ship Harbor.

Parks by design generally encompass these culturally valuable water resources with the intent to protect and preserve shore lands, flood plains, wetlands, lakes and streams. Many of the proposed future goals of the plan include restoration and enhancement of these vital ecosystems. While any

proposed future maintenance and expansion construction has the potential to increase stormwater runoff, and loose soil erosion, it is possible to mitigate these impacts through BMP's, drainage improvements, and revegetation.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding regulated critical areas, stormwater runoff, and all other potential impacts to both ground and surface water.

4. Plants [\[help\]](#)

- a. Check the types of vegetation found on the site: [\[help\]](#)
- ☐ deciduous tree: alder, maple, aspen, other
 - ☐ evergreen tree: fir, cedar, pine, other
 - ☐ shrubs
 - ☐ grass
 - ☐ pasture
 - ☐ crop or grain
 - ☐ Orchards, vineyards or other permanent crops.
 - ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 - ☐ water plants: water lily, eelgrass, milfoil, other
 - ☐ other types of vegetation
- b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)
- c. List threatened and endangered species known to be on or near the site. [\[help\]](#)
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)
- e. List all noxious weeds and invasive species known to be on or near the site.

Anacortes is located within the Pacific Northwest, which has plentiful rainfall and mild summers. A majority of the above plants occur within Anacortes park lands. The proposal may allow for an increase in park lands and recreational facilities, which could in turn increase the amount of vegetation removal to prepare for maintenance, expansion, or new construction.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding plants, including minimum landscaping and open space requirements and tree preservation standards.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: [\[help\]](#)
- birds: hawk, heron, eagle, songbirds, other:
 - mammals: deer, bear, elk, beaver, other:
 - fish: bass, salmon, trout, herring, shellfish, other _____
- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)
- c. Is the site part of a migration route? If so, explain. [\[help\]](#)
- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)

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

All of the above animals occur within Anacortes. Anacortes is part of the migratory route known as the American Pacific Flyway. The City is home to many fish, shellfish and bird and mammal species, especially within the Anacortes Community Forest Lands and along the saltwater shorelines.

This nonproject action may result in a future increase to the City's park lands and recreational facilities inventory, which could in turn increase the amount of vegetation removal to prepare for construction, displacing common mammals. Additionally, noise created from construction machinery and equipment can have temporary impacts to surrounding wildlife.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding animals.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [\[help\]](#)
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [\[help\]](#)
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)

No significant impacts are anticipated to energy and natural resources outside of normal development. Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding energy and natural resources.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [\[help\]](#)
 - 1) Describe any known or possible contamination at the site from present or past uses.
 - 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
 - 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
 - 4) Describe special emergency services that might be required.
 - 5) Proposed measures to reduce or control environmental health hazards, if any:

This nonproject action does not propose allowing for an increase in industrial type development that may increase risks of environmental health hazards.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding environmental

health. No significant impacts are anticipated to environmental health outside of normal development.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [\[help\]](#)
- 3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

Noises typical of urban and residential environments are currently found in the area of the City's parks. The intensity can range depending on the location and use of the park. Changes to noise levels can be expected with an anticipated increase of vehicular traffic and visitorship to the improved or expanded parks. Noise can be controlled through hours of operation, screening, and design elements.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#)
 - 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:
- c. Describe any structures on the site. [\[help\]](#)
- d. Will any structures be demolished? If so, what? [\[help\]](#)
- e. What is the current zoning classification of the site? [\[help\]](#)
- f. What is the current comprehensive plan designation of the site? [\[help\]](#)
- g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [\[help\]](#)
- i. Approximately how many people would reside or work in the completed project? [\[help\]](#)
- j. Approximately how many people would the completed project displace? [\[help\]](#)
- k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)
- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

The current land use of City properties affected by this proposal is recreational use and the majority of these properties fall under the PUBLIC zoning designation. This nonproject action does not propose a change in use at this time. The surrounding use and zoning designation of the parks vary by location and include residential, commercial, and commercial marine and are not expected to experience any affects by approval of the Plan. No specific development actions are planned at this time that would require actions to the existing structures or critical areas.

Many of the parks are located within shoreline jurisdiction and take advantage of public beach access and freshwater lake usage. The goal of the plan is to protect and preserve this resource and to improve the public access and enjoyment of these features.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding land use and shoreline regulations.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)
- c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)

No significant impacts are anticipated to housing.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)
- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)
- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

The Plan if approved will preserve existing open space and the natural character of public lands, as well as protect the scenic viewshed of Fidalgo Island.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)
- b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)
- c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)
- d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

This nonproject action may result in a future increase to the City's park lands and recreational facilities inventory with outdoor ball fields/courts identified as one of the primary needs. Ball fields may have lighting needs which could in turn increase the amount of light and glare. To ensure compatibility with neighboring uses while preserving the overall community character of the city, appropriate standards can be applied such as: light fixtures fully shielded or oriented towards the ground, appropriate setback requirements, compliance with building height requirements for the applicable zone, as well as light trespass and glare can be mitigated through other effective methods.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding light and glare.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)
- b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

The city offers various designated recreation opportunities that include the 3000 acres of designated Community Forest Lands and various play fields (baseball, soccer, and open play areas), there are tennis courts, basketball courts and racquet ball courts. We have many parks that offer various playground experiences such as a zip line, a spray pad and a skate park.

Though this action the City is working with community to develop appropriate recreation programs and facilities to include in our comprehensive plan.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding recreation.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [\[help\]](#)
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

While the Parks department does not have any significant historic buildings or structures in its care the City does have areas of significant historic and cultural value. Efforts to restore the Guemes Channel waterfront have been undertaken, and close coordination and communication occurs with the local tribal entities. For example, the Parks Department will coordinate a ceremony with the Samish Tribe for the renaming of N Avenue Park, which is located in the vicinity of a traditional Samish Village site, and interpretive infrastructure will display the cultural significance to the public.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding cultural preservation.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

The Plan update process included a comprehensive evaluation of population projections and service radius of recreational facilities in the contributing area of the City of Anacortes. This analysis of Level of Standards considered the historical provisions of facilities in the community adjusted by public input. As a result the City found a need for increased recreation facilities within the community based on both current needs and projected population growth; these facilities would potentially increase traffic on public roads and the need for improved public access, parking, and non-motorized trails.

By reducing service radius of parks and recreation facilities we expect an increase in the accessibility of these facilities by the surrounding residents. With new recreation opportunity close by it is projected to reduce the distance needed for the travel between the user and the facility. Additionally, alternative methods of transportation can be incorporated into the planning and project design of future facilities to include non-motorized foot paths and bicycle lanes, as well as greater access by public transit.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)
- b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

No significant impacts are anticipated to public services.

16. Utilities

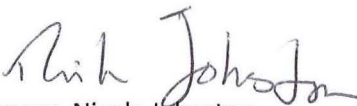
- a. Circle utilities currently available at the site: [\[help\]](#)
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

This nonproject action may result in a future increase to the City's park lands and recreational facilities inventory, which could in turn increase the amount of need for utility support for these facilities.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding utilities.

C. SIGNATURE [\[HELP\]](#)

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

Signature: 

Name of signee: Nicole Johnston

Position and Agency/Organization: Parks Manager, City Of Anacortes

Date Submitted: February 11, 2019

D. Supplemental sheet for nonproject actions [\[help\]](#)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The plan allows for the continued recreational use of the Parks, this use is generally considered passive and is not likely to increase water discharge, emissions to air, or the release of hazardous substances. A secondary effect of the increased use of parks included the increased need for hard surfaces and travel to and from the sites may be by motor vehicle which could potentially increase air emissions, stormwater runoff, and contaminants.

Proposed measures to avoid or reduce such increases are:

Continue to encourage our users to use non-motorized means to access the parks when possible. Comprehensive planning can help us foresee these impacts; reducing the service radius of each recreational facility can limit travel distances need by park users and design elements can provide alternative transportation methods such as pedestrian walkways, non-motorized access, and service by public transit.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The plan seeks to preserve and enhance the plants, animals, fish and/ or marine life on our island within the protection of public lands. However, future growth and expansion of these recreational assets may have an impact through maintenance and expansion development activities.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Our parks and recreation programs will operate with little impact to the environment, animals, fish or marine life. Our operation and maintenance activities utilize low impact methods as much as feasible including the use of organic fertilizers when the option is available and the reduced herbicide use through manual removal of weeds, mulches and other practices. Overall we believe the future impact of expansion and development will be offset by proper stewardship of public lands and the restoration and enhancement of natural environments within.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is not likely to significantly increase impacts to energy usage and natural resources.

Proposed measures to protect or conserve energy and natural resources are:

Future development under this proposal would be able to incorporate low impact design guidelines and utilize energy saving technology. All activities will continue to be subject to existing energy codes and other city, state and federal regulations and/or additional project-level environmental review.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal is primarily for the purpose of preservation and enhancement of public lands, existing parks and recreational facilities, therefore it is not likely to significantly increase impacts to environmentally sensitive areas. While future development and increased usage may have an impact on these areas it is expected that any impact will be offset by mitigation, enhancement, and preservation.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Future development under this proposal would continue to be subject to existing regulations protecting environmentally sensitive areas, and other city, state and federal regulations and/or additional project-level environmental review.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The ongoing management of the Parks and Recreation and this plan stress the importance of our native shorelines. Integral to our community is public beach access and boating facilities. The proposal will preserve compatible use of our marine and freshwater resources. Potential impacts would include maintenance and expansion of parking, boat ramps, and floats.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Future recreational use under this proposal would continue to be subject to existing city, state and federal regulations and/or additional project-level environmental review.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

New parks could use additional lighting, water and sewer demand, and require new parking services.

Proposed measures to reduce or respond to such demand(s) are:

Future development under this proposal would continue to be subject to existing city, state and federal regulations and/or additional project-level environmental review. We would look at energy saving options such as LED lights, low flow fixtures, and encouraging bicycle and pedestrian access.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal directly implements local comprehensive plan policies and is consistent with the Growth Management Act and all other local, state and federal laws applicable. Future development under this proposal would continue to be subject to existing city, state and federal regulations and/or additional project-level environmental review.

City Of Anacortes Determination of Nonsignificance

Description of proposal: The City of Anacortes is considering updates to its Parks and Recreation Comprehensive Plan. The adoption of the Plan is an undertaking which brings past documents and current public opinions into a single planning document. This process will help the City to meet overall parks and recreation needs of the community. This plan was last updated in 2009 and set goals to plan for future park and recreation needs. Within this plan, "parks" include recreational areas such as skate parks, athletic courts, multiuse pathways and trails, ball fields, playgrounds, open-spaces, public gathering spaces and critical areas for passive recreation and protection of wildlife habitat.

Proposed amendments are available for review on the city's website:

<https://www.anacorteswa.gov/528/Comprehensive-Master-Plans>.

Project File #: PLN-2019-0004

Proponent: City of Anacortes

Location of Proposal: City limits of Anacortes

Lead Agency: City of Anacortes Planning, Community & Economic Development Department

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. **Comments regarding this DNS must be submitted by March 27, 2019.**

Responsible Official: Don Measamer

Position and Title: Director of Planning, Community & Economic Development

Phone/Email: 360-299-1942; don@CityofAnacortes.org

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



Date of issuance: March 13, 2019

Appeals of this environmental determination may be made per the procedures outlined in AMC Ch. 18.04 and Ch. 19.20. Additional information regarding the appeal process may be obtained from the City of Anacortes PCED Department, 360-299-1984.



Preliminary Concept
PC031519 | March 15, 2019

Anacortes Skatepark
Anacortes, WA

grindline.com
inform@grindline.com

The Anacortes Skate Park Improvement Project

- ❖ The Anacortes Parks Foundation approved an Anacortes Skate Park improvement fund on March 12, 2019.
- ❖ Over \$10,000 has already been raised to support the project.
- ❖ The public intends to raise the funds using a process called “Pledge a Ledge” (similar to the “Our Town Our Park” fundraising project), covering the cost to build the park. Volunteers have offered to assure funding is 100% covered through donations, if necessary, eliminating any prohibitive impact on the City’s budget.

Why Improvement of the Anacortes Skate Park is Needed:

- ❖ The Current park is approaching its 20th birthday, and its condition is dangerously chipped and slick.
- ❖ Current park is a steep, 70’s pool model build, not as skate-able as modern designs.
- ❖ The old design and condition are treacherous for novice skaters and undesirable for experienced skaters.
- ❖ Because of the age and design of the current park, the City of Anacortes is bypassed by countless tourists on their way to the two, internationally-known skate parks on Lopez and Orcas Islands. An improved park would make Anacortes a viable stop for these and other tourists.
- ❖ The new design would be a place for the following, which cannot be done at the current location due to its age and design:
 - Skateboarding classes for all ages,
 - Skate Competitions and Events, such as “Skate Fest,” and
 - Safe BMX and scooter use.
- ❖ Without a well-built park, many skaters are forced to skate in the street. A new park will reduce damage to other properties from skaters, BMXers and scooters.
- ❖ Increased use of the skate park will result in increased tax revenues to the City and an improved economy due to increases in retail sales and employment related to the skate/BMX community.
- ❖ Skateboarding and BMX are the fastest growing activities in the United State with more than 14 million participants.
- ❖ A new Anacortes Skate Park will bring the community together during events, fundraising, and the design process.
- ❖ The new park will be a more welcoming place for children and parents, with covered seating areas and other amenities.
- ❖ The overall visual appeal of the City and entry into the City along R Avenue will be improved by an updated park.
- ❖ Crime will be deterred by the new park through increased use by youth, providing a physical activity for kids not interested in traditional team sports, and better design intended to reduce vandalism of the park.

Attachments:

The Ferndale WA skate park is approximately the same size as the park in Anacortes. Grindline has provided the following attachments to support the Commission’s ability to determine the viability of adding the Anacortes Skate Park improvement project to the Comprehensive Plan.

- Anacortes Concept – the Ferndale Concept Design superimposed on the Anacortes location (cover)
- The Ferndale Concept Design – shows an example of what Anacortes can expect to come out of the initial design process.
- The Ferndale Concept Design Proposal – outlines the design process and initial cost



Preliminary Concept
PC043018 | April 30, 2018

Ferndale Skatepark
Ferndale, WA

grindline.com
inform@grindline.com

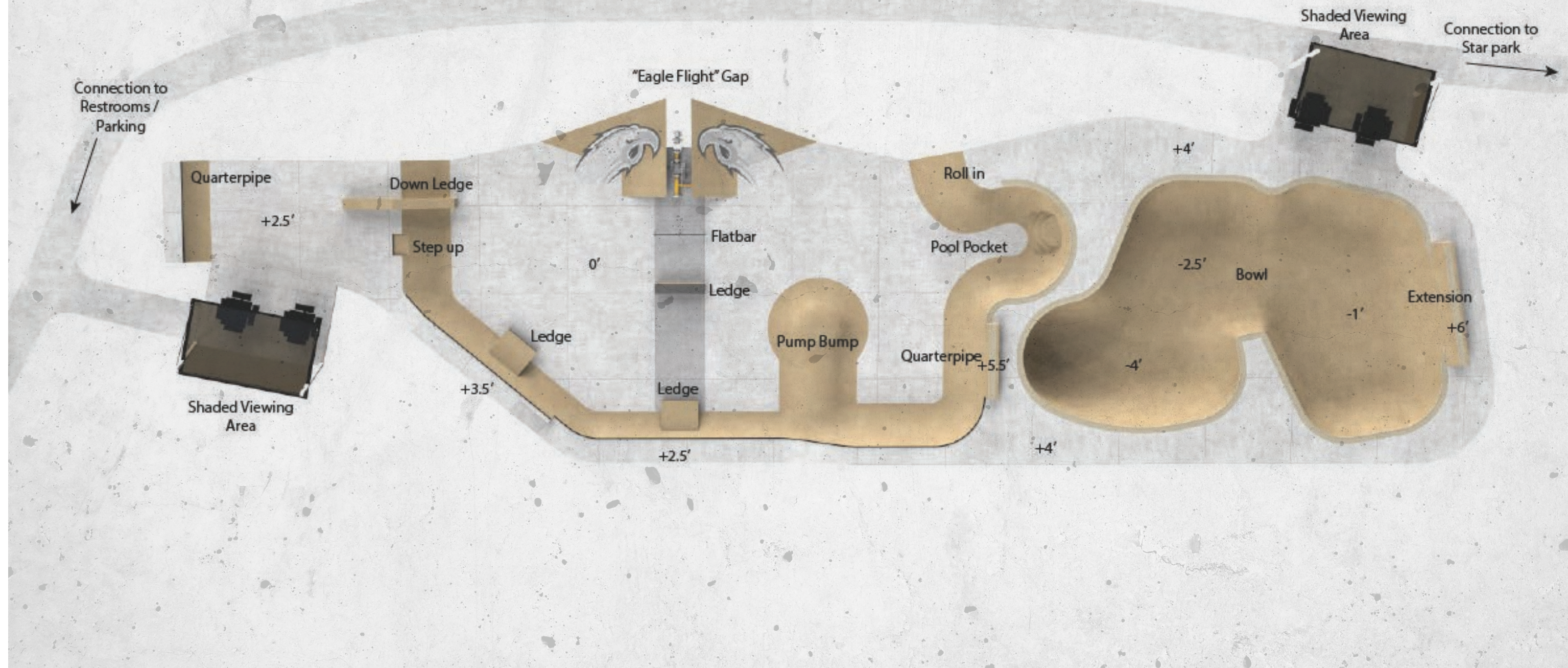


Preliminary Concept
PC043018 | April 30, 2018

Ferndale Skatepark

Ferndale, WA

grindline.com
inform@grindline.com





PROPOSAL FOR DESIGN SERVICES - FERNDALE, WA

Jori Burnett
Community Development Director, City of Ferndale
(360) 685-2367
PO Box 936
Ferndale, WA 98248
JoriBurnett@cityofferndale.org

PROJECT DESCRIPTION: Create a skatepark concept based off of current site information to be used for fundraising and advocacy purposes.

TASK 1. PROJECT STARTUP

a) Project Kick-off Meeting: Grindline Skatepark and Client will meet in Ferndale to review current site information and discuss how skatepark improvements will integrate with current and future park elements. The Design Team will determine if any additional information is needed to commence design. The Design Team and Client will finalize the project objectives including scope, schedule and budget. A communication plan will be made to identify preferred communication methods. Key meetings and deliverables will be scheduled and areas requiring coordination such as public meetings, online forums and exchange/review of documents will be identified.

b) Site Visit: Grindline and Client will do a site visit to review the existing conditions of the proposed site and explore opportunities and constraints of the site. Items such as Vehicular, Pedestrian and Utility Integration, Required/Desired Amenities, and Permitting Requirements will be discussed and solutions proposed for identified items.

c) Community Meeting #1: In a collaborative interactive meeting, Grindline will engage community members and stakeholders in a public input meeting on the skatepark design. This meeting will introduce Grindline to community, explain the design/public input process, and share how the community drives the project development. This meeting is open forum for public to provide input that will drive the development of the design concepts. Community members will be given an opportunity to provide input via verbal, written or online participation. A project Facebook page can be created and used to promote the Skatepark project and post concepts so community members can access project information online and make comments for consideration.

d) Coordination Meeting #1: Grindline will submit a project startup report summarizing the information collected during tasks 1a - 1c and submit to the client. Grindline and the Client will meet via phone/internet meeting to discuss the information in the project startup report and finalize the direction moving forward with the conceptual design.

Task 1 Deliverables & Final Products:

Grindline will submit a report for the site summarizing the results of the Project Startup Meetings for the Client to review and approve, including:

- Brief narrative listing the site constraints and opportunities and an inventory/analysis of potential skatepark area
- Finalized Program, Schedule, Scope, and Budget for remainder of Design process
- Summary of Public Input Report from 1st Community Meeting.

TASK 2. CONCEPTUAL DESIGN

a) Preliminary Conceptual Design: Upon the Client's approval of the Project Startup Report, Grindline will develop a Preliminary Concept based on information from Project Startup Report and submit to Client for comment. The skatepark designs will be coordinated with any other proposed improvements. The concepts will include the 3D renderings of the skatepark and include preliminary cost and material estimates. Concept will be submitted to Client in digital format and can be posted to the project facebook page for community review.

b) Community Meeting #2: In a meeting similar to Task 1c, Grindline will return to Ferndale to present the Preliminary Concept to the community. This meeting will provide the community an opportunity to ask questions regarding the concept and provide feedback and comments. Grindline will use the information gathered at this meeting to create the final concept.

c) Coordination Meeting #2: Grindline will meet with Client via a phone/internet meeting to discuss the preliminary concepts, input from the community, and comments posted on the projects' Facebook page. Client will provide direction so Grindline can begin development of the Final Design.

d) Final Concept: Grindline will create a Final Concept and submit to the Client for review. This will finalize the skatepark and any non-skate elements directly related to the skatepark. Grindline will provide detailed line item cost and material estimates and updated schedule.

e) Community Meeting #3 (OPTIONAL): In a meeting similar to Task 2b, Grindline will return to Ferndale to present the Final Concept to the community. This meeting will provide the community an opportunity to review the final concept.

Task 2 Deliverables & Final Products:

Preliminary and Final Concept suitable for display showing the site plans and program elements to scale.

Submittal to include plans and 3d perspective views and will be in digital format

Preliminary and Final Cost Estimates with quantity of materials estimates for submitted concepts.

FEES

Task 1a - 1d	\$2,000
Task 2a - 2d	\$4,500
Total	\$6,500

Optional

Task 2e	\$750
---------	-------

ASSUMPTIONS

Payments are due 30 days after the invoice date unless otherwise agreed upon by Grindline Skateparks, Inc. Finance charges will begin to accrue on any open balances over 60 days old at a rate of 1% per month interest (12% APR)

This proposal assumes 2 trips to Ferndale during this scope of work with an optional 3rd trip. All other work in the scope will be completed via phone/internet. Any additional work beyond the scope in this proposal will be billed at the hourly rates below

Grindline Skateparks, Inc.

Project Director, Principal	\$125.00 per hour
Project Manager, Associate	\$75.00 per hour
Lead Designer, Principal	\$125.00 per hour
Design Associate	\$85.00 per hour
CAD Technician	\$55.00 per hour
Clerical/Administration	\$55.00 per hour

Thank you for the opportunity to provide you with a proposal. We look forward to working with you. If we can be of any further assistance, please feel free to call our office at 206-932-6414.

Sincerely,

Micah Shapiro
Grindline Skateparks

Draft

Anacortes Community Forest Lands Comprehensive Plan

October 30, 2014

ACFL Comprehensive Plan Update:

The Forest Advisory Board and staff have been holding public meetings, taking comments and revising the ACFL Comprehensive Plan for the past several months. Many changes to the document have been made. Recently some policy recommendations were made and we wanted to call this to the public's attention and invite comment. The following items were removed from the 2009 ACFL Comprehensive Plan:

Pg. 16. 5) The Forest Board should work with the Parks Board and other public entities to find places where dogs can be allowed off-leash in a trail setting and or with access to water. This process may take years of careful research and require significant input as to how best to accomplish this goal.

Pg. 32 5) Dog walkers were removed as a user group with representation on the ACFL Trail Committee.

The following items were added to the plan:

Pg. 16. 5) Commercial activities in the ACFL that do not violate existing policies may be permitted by the Parks and Recreation Director in consultation with the ACFL Advisory Board.

Pg. 37. Problems with algae and milfoil shall be addressed with this in mind but if manual removal is not effective, chemical herbicides may be used.

Table of Contents

	Page
I. Introduction	4
II. Management Areas	5
Introduction	5
Management Area Map	6
Little Cranberry Lake	7
South Cranberry	8
Whistle Lake/Fidalgo Ridge	8
Heart Lake	9
South Heart Lake Road/Ray Auld Drive	10
Mt. Erie Summit South and West Faces	10
Mt. Erie Conservancy Area	11
III. Forest Lands Stewardship	12
Forest Management	12
Flora Management	12
Wildlife Management	12
Water Resources Management	13
IV. Management of Recreational Activities	14
Picnicking	14
Trail System	14
Trail Uses	15
Climbing	15
Motor Vehicles	15
Fishing	15
Hunting and Trapping	16
Other Activities	16
Education	16
V. Management Procedures	17
Management Authority	17
Finance	17
Enforcement	18
Fire Protection	18
Access, Signs and Boundary Markers	18
Cooperation with Adjacent Property Owners and Public Agencies	18
Future Acquisition Considerations	19
VI. Appendices	20
1. History	20
a. History of Land Acquisition	20
b. History of Logging Activities	21
c. Conservation Easement Program	23
2. Comprehensive Trail Use Plan	24
3. Trail User Rules and Regulations	29
4. Heart Lake Management Plan	33
5. Management Area Maps	38

Introduction

The City of Anacortes owns more than 2,800 acres of designated forest lands within the City limits. This area includes Mt. Erie, Whistle Lake, Little Cranberry Lake, 80 acres north of Heart Lake and the former State Park lands.

These community forest lands contain some of the most unique and complex living environments in the Puget Sound Region. Few cities are so fortunate to have such a resource, coupled with the broad-based desire of its citizens to conserve and responsibly use these resources.

This Comprehensive plan is an update to the 2009 plan. The Forest Advisory Board started discussing this update in the fall of 2013 and began taking public comments at monthly meetings in 2014.

The goal of this process was to develop a plan that works to conserve and enhance the unique environment and habitats within the Anacortes Community Forest Lands (ACFL) while maintaining recreational opportunities for local residents.

Use in the ACFL from local and regional residents has increased as people seek out its natural beauty and recreational opportunities and should be managed to accommodate this use.

In 1998 the Conservation Easement Program (CEP) was initiated to protect the community forest lands from logging, mining and development while raising money to pay for management and stewardship of the ACFL. It was created when City Council passed Resolution #1492 on December 21, 1998. The program places one acre of land under conservation easement for every \$1,000 donated. City Council reviews and approves each round of acreage that is protected.

The Skagit Land Trust and Friends of the ACFL are partners with the City in this project. The Skagit Land Trust holds the easements and places them on file with the County Auditor and the Friends of the ACFL help promote the project in the community.

The easement program was conceived of as means to replace revenue which was lost when logging was discontinued in the ACFL in late 1980's. The money donated goes into the Forest Endowment Fund.

The principal of this fund cannot be spent; however interest revenue can be used for the forest lands. In August of 2007, the fund surpassed the initial goal of \$1.5 million, 11 years ahead of schedule. The CEP will continue as long as there is land to conserve in the community forest lands and people willing to contribute to its protection.

The Friends of the Anacortes Community Forest

Lands have provided a wide variety of community forest education programs and naturalist consultation in service to the ACFL since 1988. These services are in partnership with the City and School District, with additional financial support from grants, businesses, private donors, and membership.

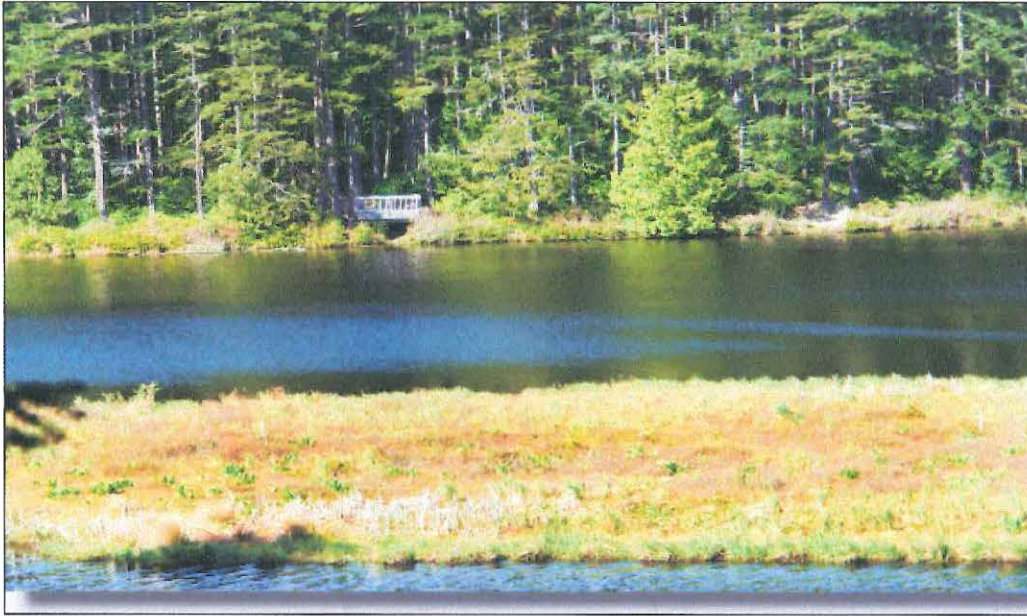
Over the course of 20 years of local forest education, thousands of citizens of all ages have grown in knowledge and appreciation for the ACFL leading to many tangible benefits. These include and are not limited to: an increase in nature literacy,

an increase in enjoyment of the woods, a burgeoning conservation ethic in the community, tremendous support for the creation of the Conservation Easement Program and broad financial generosity to see it through, steady stewardship participation in work parties and committees, and a demonstrated sense of respect and care for the woods among most local youth.

This plan reflects new policies and practices in the management and stewardship of the ACFL to address changes that have occurred since the plan was last updated in 2009. Our goal is to update this plan every five years to review what is and is not working to maintain the ACFL as a healthy forest, wildlife habitat and local recreational venue.



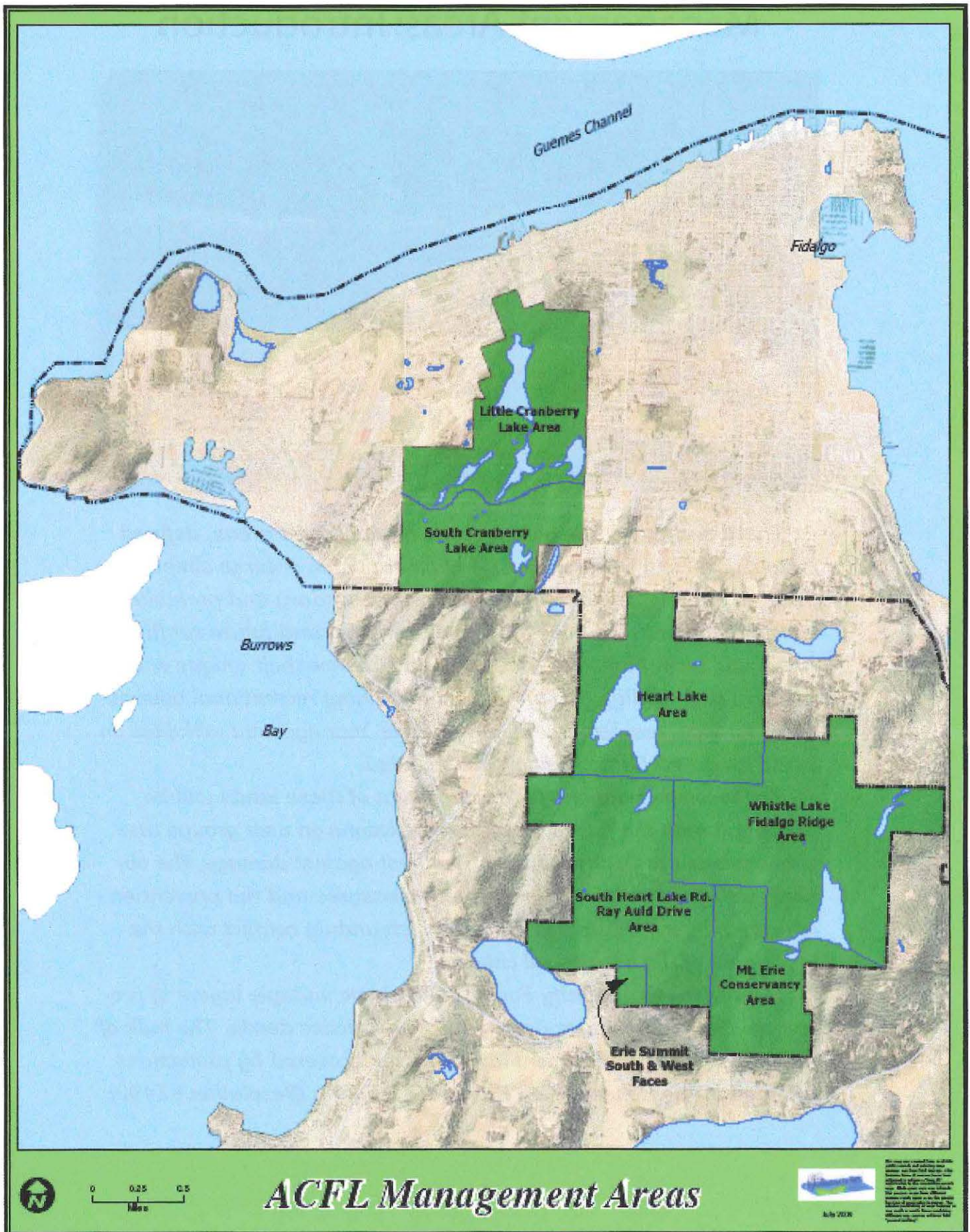
Management Areas: Introduction



These sections of the plan propose management areas, defined by topographical features and deed limitation, in order to simplify decision making. By identifying primary, secondary and prohibited uses in each unit, we hope to minimize present and future conflicts. Areas will be managed to conserve and enhance their unique environment and wildlife habitat while maintaining recreational opportunities for local residents. When applicable, management activities on lands proposed for acquisition are included.

The recommendations for management of these lands will be presented with the fewest possible restrictions on user groups and yet consistent with protection of the forest against damage, the observance of essential sanitary/safety measures and the prevention of actions by individuals or groups which unduly conflict with the enjoyment of the area by all citizens.

Most of the Community Forest Lands have multiple layers of protection. Many acres were donated with restrictive deeds. The bulk of the former water department lands are now covered by protections afforded in the Conservation Easement Program (Resolution #1492).



Management Areas

This section of the Management Plan is governed by the following statements in the City of Anacortes 2007 Comprehensive Plan pertaining to the Anacortes Community Forest Lands:

Goal: Identify areas of environmental, educational, historic, cultural and/or biological significance, encourage their preservation, and regulate development which could cause significant deterioration of these qualities.

Policy: The Anacortes Community Forest Lands (ACFL) are critical areas having the designation as a Fish and Wildlife Habitat Conservation Area.

Goal: Provide opportunities for residents to have access to undeveloped natural areas.

Policy: Whistle Lake, Heart Lake and Little Cranberry Lake watersheds should be managed to maintain their pristine and/or fragile environment and to preserve watersheds, wildlife habitats, wetlands, aesthetic values, and recreational uses with priority for residents.

Goal: The City's parks and forest lands (ACFL) should be managed with the principal goals of maintaining and enhancing habitat, conservation, and recreational values.

Policy: The City of Anacortes will continue to support the Conservation Easement Program until all eligible acres have conservation easements.

Little Cranberry Lake Area

(Approximately 257 acres)

Boundaries: Entire area dedicated as Little Cranberry Park (1964), John M. Morrison Natural Park and associated wetlands including dedicated parkland buffers.

Restrictions: The majority of this area is land dedicated for "public park purposes only." The Morrison Natural Park was given with the stipulation

that "timber and land never be alienated." In addition, Cranberry Lake is still technically a back-up water supply for the City (see Acquisition section). Its dedication as Cranberry Park in 1964 and the need to maintain water quality argue for very sensitive and careful management.

The marshes which feed the lake provide an important habitat for waterfowl and other animal life. In addition, the presence of scattered old growth and mature second growth create a very rich and diverse biological zone.

Current Conditions: Little Cranberry Lake is used extensively by hikers, runners, mountain bikers, and some horse back riders. Use is likely to increase now that neighborhoods around the lake have been developed and locals use the trails for recreation and dog walking. Fishing, from shore and small non-motorized boats, is also very popular. Swimming and picnicking are major activities in good weather. The majority of the users are local residents. The access, a gravel road from Georgia Avenue and West 4th, is open at all times. Maintenance is

shared by the Parks and Recreation Department and volunteers working with the department. The Comprehensive Trail Plan prohibits motorcycle use in this unit, north of the old city dump. The lake basin provides a variety of habitats for plants and animals, and wildlife is relatively plentiful. The rocky meadows on both sides of the lake are prime



spring wildflower sites.

Projected Use: The lake basin should be reserved primarily for local resident use. Current low impact uses include hiking, bicycling, horseback riding and fishing. Picnicking, nature observation and non-motorized boating and canoeing should also continue.

Recommendations: The following measures should be instituted:

- 1) Post this area for no motorcycles north of the old 32nd Street right of way.
- 2) Provide restroom facility at or near Little Cran-

berry Lake parking lot.

3) Block or obliterate trails in areas which need to be re-vegetated and remove unauthorized trails from private property.

4) Continue removing non-native invasive plants and promote planting of native or non-invasive alternatives by landowners nearby.

berry Lake parking lot.

3) Block or obliterate trails in areas which need to be re-vegetated and remove unauthorized trails from private property.

4) Continue removing non-native invasive plants and promote planting of native or non-invasive alternatives by landowners nearby. 5) Expand ADA access.

6) Consider paving access road from Georgia Avenue to the lake.

South Cranberry Lake Area

(Approximately 446 acres)

Boundaries: All of Section 26 exclusive of those areas in the Little Cranberry Lake Unit, bounded by "A" Avenue on the east and south line of Section 26 on the south.

Restrictions: This unit is comprised entirely of land purchased from the Washington Water Company in 1919. There are no restrictions attached to the original deeds but much of the land is now protected by the Conservation Easement Program and subject to its conditions. The major wetland in this area (in the southeast corner) drains south, towards Havekost Road and Alexander Beach. Most of this area is not in the Little Cranberry drainage basin.

Current Use: This area, including the old City dump, is used extensively by motorcycles, horseback riders, mountain bikes and hikers.

Projected Use: Current recreational uses will probably increase, and improvements which would enhance those and similar uses should be considered.

Recommendations:

1) Now that the old dump (aka New City Meadows) has been capped, site could possibly be used as a fenced off-leash dog area.

2) Trails should be rehabilitated (and redesigned where necessary) to serve the ends of this plan.

3) Boundaries of adjacent private property ownerships should be posted.

4) There is a unique stand of trees at the property corner of 41st and "A." This is one of the stands of mature Cedar, Hemlock, White Fir and Douglas Fir in the forest lands and should be preserved.

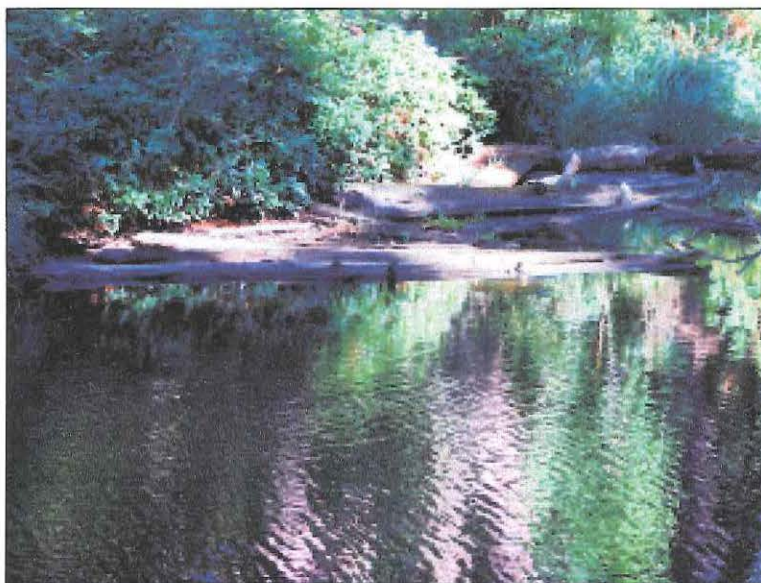
5) Maintain trail #10 as fire/emergency access road.

Whistle Lake/Fidalgo Ridge Area

(Approximately 645 acres)

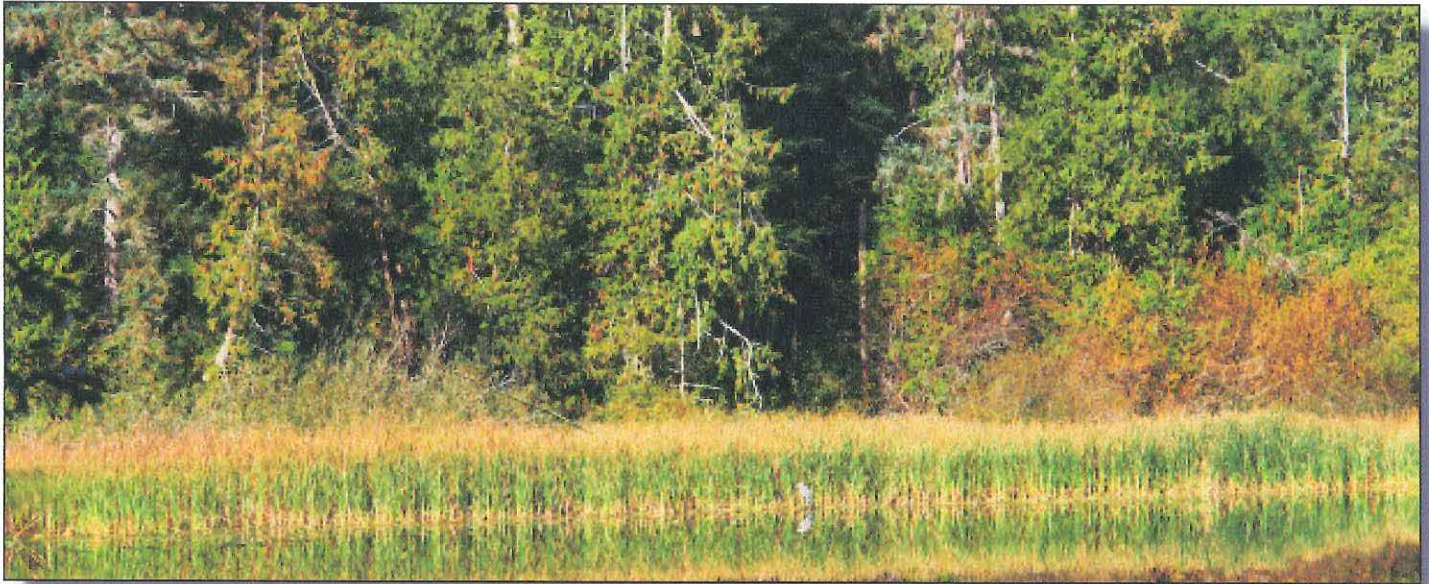
Boundaries: This area includes the northern half of the Whistle Lake basin and all ACFL property north of Whistle Lake in sections 6 and 31. The western boundary is west line of section 6.

Restrictions: Whistle Lake is a former City reservoir, acquired when Douglas Allmond sold the Washington Water Company to the City in 1919. The lake was used as a storage reservoir for water pumped from the Skagit. In case of a future water emergency, it may become necessary to use this source again. Consequently, all efforts should be made to maintain the water quality and the wilderness quality of the basin. Parts of this area are also visible from the



summit of Mt. Erie and on the descent along Ray Auld Drive. This area includes the major ridge seen when traveling west along Highway 20 into Anacortes. All forest practices should take visual impacts and watershed management impacts into account. The lake basin is an extraordinary echo chamber. As a result, noise, especially motorcycles, shatters an otherwise pristine quiet.

Current Use: Use patterns at Whistle Lake are quite seasonal. In fall, winter, and spring, most trail



riders and hikers are local residents, and use is light and relatively low-impact. The summer season is very different. Young people from Anacortes, Whidbey Island, and Skagit County come to the lake to swim, drink beer, and in the process litter and trample the sparse vegetation on the lake edges and on the island, where they jump off the cliffs into the lake. Local families also come out to swim and fish and picnic, and there are occasional conflicts.

Campfires and cook fires are a problem, and littering is heavy and widespread. Most motorcycle, bicycle, and horse riders comply with the restrictions in the Comprehensive Trail Plan. There are some traffic problems on trail #20, where pedestrians share the road with horses, bikes, and motorcycles going to and from the lake, and to a lesser degree on trail #204. The lakeshore is rimmed with old-growth fir left from previous timber harvesting because of difficult access or by Council stipulation.

Projected Uses: Whistle Lake should be reserved



Whistle Lake should be reserved for low impact use. All efforts should be made to maintain water quality and the wildland as part of this area.

for low impact use. All efforts should be made to maintain water quality and the wildland as part of this area. Primarily, this unit should be managed for low density recreational use.

Recommendations:

1) All forest practices and recreational activities shall be designed to protect water quality.

2) Repair damage to existing areas of intensive use.

3) Encourage low impact recreational use by local residents.

4) Continue successful summer patrols by Anacortes Police Department of popular recreational areas.

Heart Lake Area

(Approximately 515 acres)

Boundaries: 80-acre ACFL at the north end of Heart Lake and approximately 435 acres that were formerly Heart Lake State Park.

Restrictions: The 80-acre parcel on the northern side of the lake was acquired by the City from the State of Washington to assure access to the outflow from Heart Lake for reservoir purposes. In the past, the City allowed this unit to be logged "except for 300 feet along the road to preserve the scenic beauty." Visually, this unit is the entry to the magnificent Heart Lake Road corridor. Almost all of this area is protected through conservation easements. The land and water that formerly made up Heart Lake State Park were transferred to the City in 2002 and contain many restrictions in the deed which are outlined in detail in the Heart Lake Management Plan adopted in 2004. The State required this land to be managed as a non-motorized area with areas to the west, south and east required to remain hiker only trails.

Current Use: This area is popular for dog walkers, hikers, horse riders, mountain bikes and motorcycles. New nearby developments at Parkside and The Orchards have increased usage as these neighbors regularly recreate here.

Projected Uses: Use will increase in this area as new neighborhoods in the vicinity develop. The lake itself is a popular recreational site for fishing, swimming, and kayaking.

Recommendation: This area is a very important connecting corridor for both people and wildlife between the Little Cranberry area and the Whistle Lake area. Care must be taken to keep only approved trails open. New trail building and other off trail activity have increased recently and need to be monitored. Because this area is an important corridor between Little Cranberry and Whistle Lake there needs to be a continued emphasis on trail maintenance in this section.

- 1) Develop ADA access and trails where possible at Heart Lake.
- 2) Continue program to diminish illegal dumping in the area by limiting vehicle pullouts and working with law enforcement.
- 3) Improve sanitary services at summit of Mt. Erie and Heart Lake.

South Heart Lake Road/Ray Auld Drive Area (Approximately 465 acres)

Boundaries: All City property adjacent to Heart Lake Road south of Heart Lake and all City property adjacent to Ray Auld Drive with the exception of 35 acres around the Mt. Erie summit and south and west faces.

Restrictions: As with Heart Lake Area, parts of this area were logged in the past between 1940 and 1950 with the stipulation that a 300-foot buffer be left along Heart Lake Road. The 160 acres at the top of Mt. Erie were given to the City for "park purposes"

by Gus Hensler and the Kiwanis Club. Mr. Hensler stipulated that his donated 120 acres be a "haven for birds and/or animals" (i.e., a wildlife sanctuary).

Current Use: Heart Lake Road (formerly Lake Forest Road) is a scenic corridor. The thoughtful stipulations of past City Councils have preserved a feeling of passage through primeval forests. Ray Auld Drive climbs to the summit of Mt. Erie which is already a multiple-use park. Hundreds of people drive to the parking lot for rock climbing, picnicking, sightseeing, photography, hiking and nature study.

Projected Use: Heart Lake Road and Ray Auld Drive will continue to be sightseeing destinations.

Recommendations: Maintain trails and continue to enhance access for south Mt. Erie trail.

Mt. Erie Summit South/West Faces (Approximately 35 acres)

Boundaries: Comprising the Southwest quarter of the summit including the steep slopes that are major rock climbing and scrambling areas on Mt. Erie.

Restrictions: Some of this management area includes Kiwanian and Hensler donations and inherits the restrictions that accompany that land.

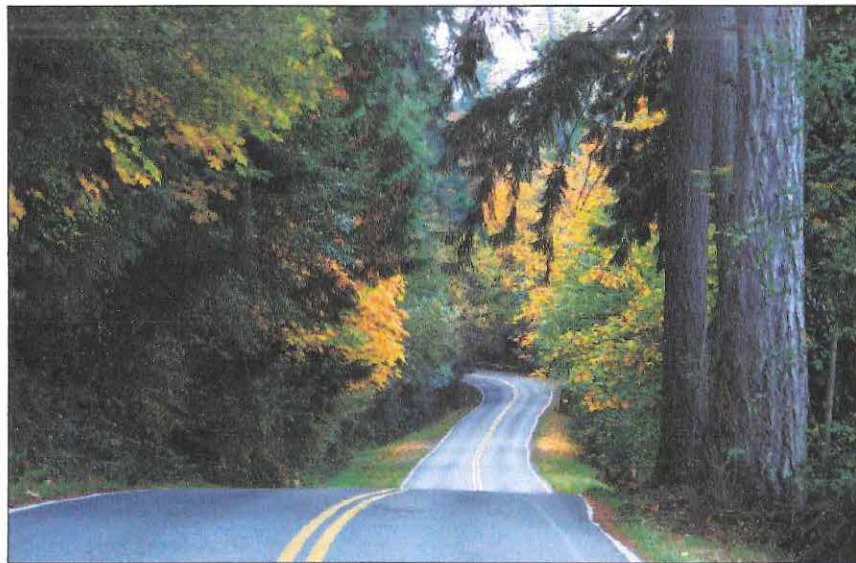
Current Use: The summit of Mt. Erie is already a multi-use park. Hundreds of people visit for rock climbing, picnicking, sightseeing, photography, hiking, nature study and hang gliding.

Projected Use: Mt. Erie will continue to be a regional attraction for sightseeing, mountain climbing and scrambling.

Recommendations:

- 1) Rock face of Mt. Erie is unique in the ACFL as it allows areas for rock climbing and scrambling.

- 2) Proposed climbing dates should be submitted in advance to the Parks and Recreation Department. If a large number of climbers apply to use the same area at the same time, the Parks and Recreation Department may require the later applicants to re-schedule their use for



another date.

3) Post and sign key access points with appropriate notice of rules in effect.

4) Construct wheelchair accessible parking and routes to a lookout on Mt. Erie summit.

5) Placement of fixed anchors, opening new areas to climbing and scrambling, and work parties to maintain climbing routes, etc., shall be approved by the Forest Advisory Board and coordinated with staff. Climbers are asked to "leave no trace."

6) Construct permanent restroom facility at the summit.

7) Install interpretive signage to educate the public about the fragile and unique ecosystem in this area.

8) Work with adjacent landowners to keep trail #247 (the south Mt. Erie trail) open for recreational use and access to climbing areas.

Mt. Erie Conservancy Area (Approximately 459 acres)

Boundaries:

This area is primarily defined by the southern bound-

ary of City property on Mt. Erie, the south shore of Whistle Lake, and the east flanks of Mt. Erie.

Restrictions: The marshes at the western and southern edges of the lake provide a relatively isolated habitat. Much of the area is without trails and has been intentionally kept that way due to difficult terrain or to maintain wildlife corridors. Most of this area is protected through conservation easements

and is subject to their restrictions.

Current Use: This is a relatively inaccessible area that has intentionally not received the same density of trails as other places in the community forest lands. It has an old logging road, trail #22 that runs through the northern portion of the area and off that run a couple of multi-use trails. The southern section may be able to accommodate a non-motorized trail that goes along the south face of Mt. Erie. This trail was built in 2001 and was reopened after years of closure through agreements with the landowners.

Projected Use: This area should be limited to low intensity use: hiking, nature observation, mountain

biking and horse-back riding of designated trails. Sensitive habitat, difficult access and steep rocky slopes are all reasons to place this unit in a Conservancy/Forest Study designation.

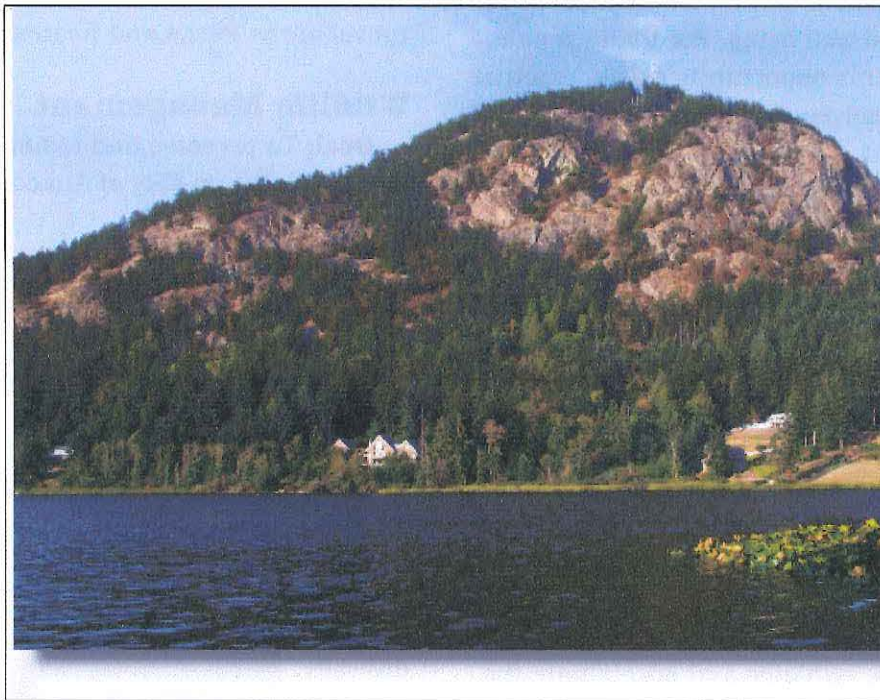
Recommendations:

1) Post signs and erect suitable barriers to restrict intensive use of this area.

2) Work to acquire trail easements or property to maintain a south Mt. Erie trail and provide a connecting route to the Heart Lake area.

3) Limit additional trail construction to increase habitat value.

4) Work with users to help them understand the reasons for these restrictions and direct recreational use to other areas.



Forest Lands Stewardship

Forest Management

Goal: The Anacortes Community Forest Lands should be managed and protected in perpetuity to insure the maximum benefit to sensitive habitats and wildlife and enjoyment to the citizens of Anacortes.

Policies:

1) The underlying policy must be one of minimum disturbance with respect to the forest, wildlife and low-intensity recreational opportunities. Important “by-products” will include clean air and water and the availability of a forestland setting for citizens’ physical and psychological well being. For many people, the knowledge that this opportunity exists, whether they ever avail themselves of it or not, is a source of great satisfaction and relief. The increasing urbanization of this area will make this “relief valve” principle a priceless community resource in coming decades.

2) Any direct economic benefit realized in the management of this land should be re-invested to protect the resources.

3) All forest management activities will be conducted so as to minimize damage to native plant communities and wildlife. Natural processes of growth and succession, with the exception of wildfire, will be encouraged, and any replanting will use species native to that site.

Flora Management

Goal: To maintain, enhance and rehabilitate the native vegetation on City of Anacortes properties.

Policies:

1) Removing trees, shrubs, bushes, flowers or other vegetation from the ACFL is prohibited. Berries and other edibles may be picked from the trail for enjoyment while in the ACFL. Harvesting for home consumption or retail is prohibited. Mushroom harvesting is prohibited.



2) Encourage the use of City property for botanical research, field work and observation by local educational institutions.

3) Identify those areas of particular and/or unique plant species or colonies and restrict use to an appropriate level.

priate level.

4) A list of plant species found on city land may be made available to the public.

5) Invasive non-native plants should be identified and managed for removal from the ACFL. Volunteers have been and are likely to be relied upon heavily for their work to help keep the forest lands free of these species. Whenever possible, invasive plants should be removed by the roots manually without the use of herbicides. It is prohibited to introduce any plant species into the ACFL without express written approval of the Parks and Recreation Director.

Wildlife Management

Goal: To preserve and enhance the present diversity of wildlife on City of Anacortes forest lands.

Policies:

1) No activity shall be permitted which will significantly alter the mixture of habitats that provide a varied and abundant wildlife population.

2) The City should be open to proposals by groups wishing to study these lands in order to provide baseline data on wildlife populations and species diversity.

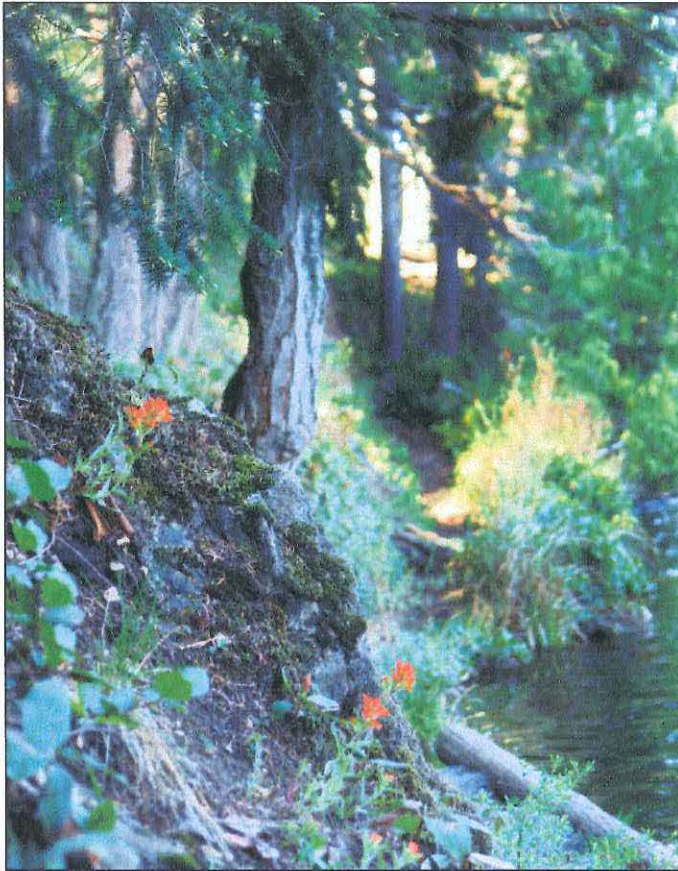
3) A list of wildlife species found on City land may be made available to the public.

4) Encourage local school districts to use City land for nature study. This could include building and setting nesting boxes, passive observation of seasonal wildlife and development of some site-specific curricula.

5) Develop suitable wildlife observation sites in conjunction with recreational development. After a detailed study, observation boardwalks could be built in one or more of the marshes for the purposes of nature study and education.

6) No native wildlife shall be removed from the ACFL. Domestic species or wild animals shall not





be placed in the forest lands without review by the Forest Advisory Board and written permission of the Parks and Recreation Department.

Water Resources Management

Goal: To maintain and enhance the water quality of lakes, marshes and wetlands in the Anacortes Community Forests.

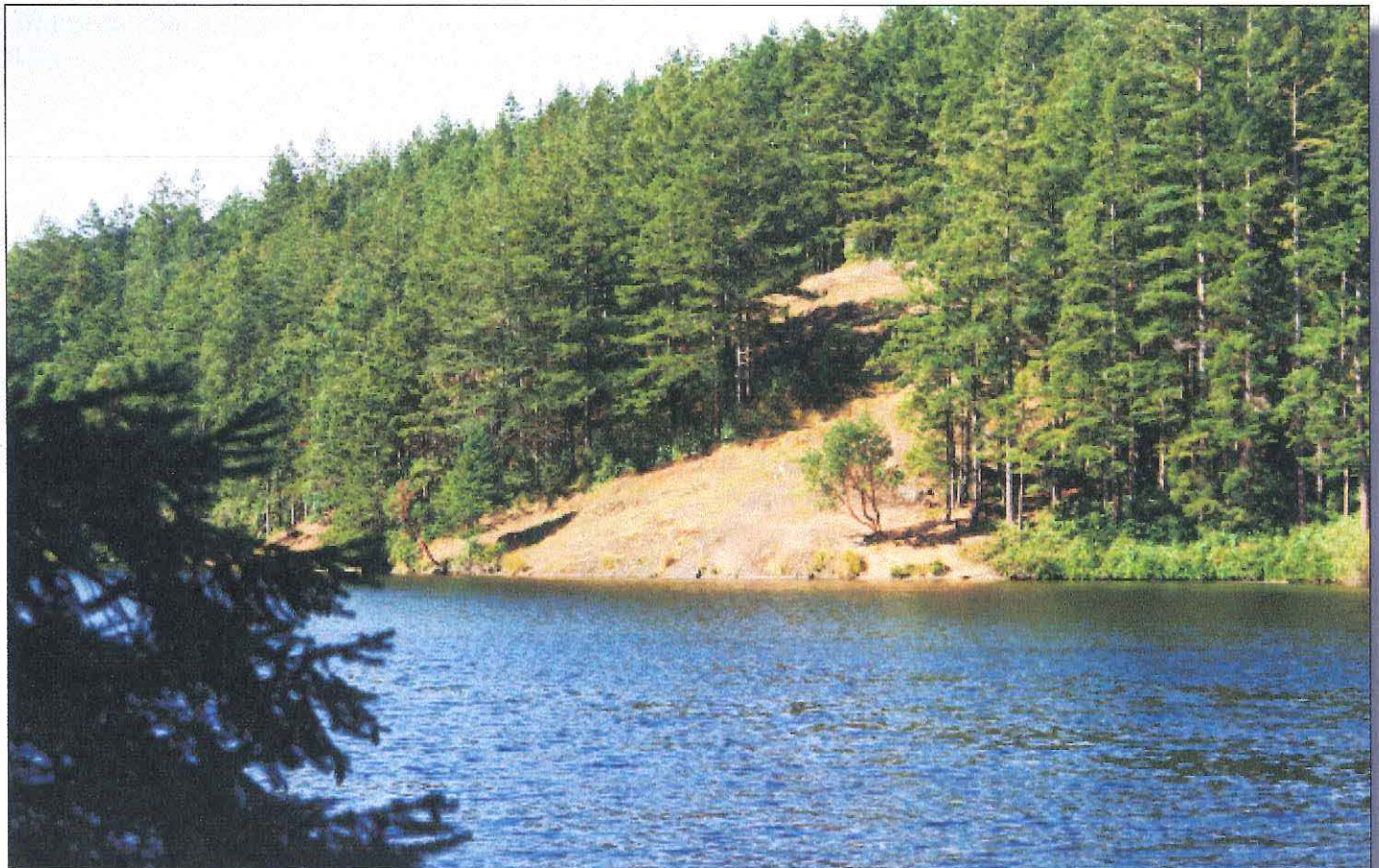
Policies:

1) Locate trails away from lakeshores and marsh edges where necessary in order to minimize impacts on water quality. Identify areas where trails perpendicular to main trails can be built to shorelines with minimal impacts.

2) Improve existing trails to minimize erosion. Where necessary, obliterate trails which are causing undue resource damage.

3) Whistle Lake, Heart Lake, and Little Cranberry Lake are back-up supplies of water in case of an emergency. All management activities in the watersheds of these lakes must take this into account.

4) Work with other City departments and neighboring developments to eliminate run off of contaminants into ACFL watersheds.



Management of Recreational Activities



Picnicking

Goal: To allow picnicking at designated walk-in areas.

Policies:

- 1) Provide garbage, recycling and sanitary facilities where appropriate. Fires and barbeques are prohibited.
- 2) Prohibit camping throughout the ACFL.
- 3) Develop at least one walk in picnic site for local use.

Trail System

Goal: Maintain an overall trail system in City forest lands.

Policies:

- 1) Make available to the public at City Hall maps of existing main trails on City of Anacortes properties. These maps should also summarize use policies outlined elsewhere in this plan.
- 2) Where necessary, rehabilitate trails where horses, motorcycles or mountain bikes have caused erosion or other problems. Seek involvement of user groups and community service organizations as much as possible.
- 3) Obtain easements for current-use trails where they cross onto private property. Work with adjacent owners to prohibit, control or allow current use. Mini-

mize conflicts by working with user groups.

- 4) Post regulatory signs at all entry points and where trails cross onto private property.

- 5) No new trail accesses will be established into the ACFL from private property without review by the Forest Advisory Board and written permission from the Parks and Recreation Department.

- 6) Design and/or renovate existing trails to serve the recreational objectives of this plan with a minimum amount of maintenance. Sign trails to serve the needs of local residents. Design loop trails and loop options as much as possible. All improvements should harmonize with the natural setting.

- 7) Interpretive trails should be developed (in conjunction with the recreational trail system) with self-guiding brochures available either at the trailhead or at City Hall.

- 8) Work with Skagit County, the State of Washington, other City departments and other entities to establish linkages between the ACFL trail system and other trails to provide continuous recreational and non-motorized transportation options across Fidalgo Island.

- 9) Hours for use in the ACFL are 6am to 10pm.

- 10) To better serve senior citizens, small children and those with limited stamina or mobility, pedestrian-only trails with "easy" difficulty ratings should

be established in both forest and lakeside settings. Where appropriate, these trails should meet ADA accessibility standards.

Most use restrictions are obeyed. Overuse by all trail users is beginning to cause problems: erosion, compaction and trail spreading have increased trail maintenance needs. The publication of the trail maps and marking of trails with numbered signs has done a lot to popularize trail use and make it easier for people to get around the trail system. Trail maps should be updated and improved as new trails are identified and trail maintenance must be increased to accommodate the greater use.

Trail Uses

For specific trail uses see current Comprehensive Trail Plan.

Climbing

Goal: Maintain and enhance climbing areas on Mt. Erie while conserving the unique environment and habitat on the summit and South and West faces.

Policies:

1) Climbing and scrambling shall be restricted to the Mt. Erie summit and South and West Face Management Area.

2) Establish a Mt. Erie Committee consisting of five members including: three members representing climbers and/or scramblers, one naturalist and one at large Anacortes citizen. At least two of the climbers shall be residents of Anacortes. At least one of the climbers shall be a climbing instructor. All climber members of the committee shall have substantial experience climbing on Mt. Erie. Each representative shall be appointed by the Forest Advisory Board and the Parks and Recreation Director. The duties of the Mt. Erie Committee are:

a) Assist staff and the Forest Advisory Board with questions regarding Mt. Erie management including but not limited to climbing routes and scramble ar-

reas, regulation of fixed bolting, creation of new belay platforms, opening new climbing areas and other relevant issues.

b) Be available to represent their user group at Forest Advisory Board meetings when issues affecting climbing and scrambling arise.

c) Be available to organize volunteer work parties with this user group when needed on Mt. Erie. All maintenance projects must be approved in advance by the Parks and Recreation Director.

3) User restrictions and methods to appeal decisions should follow the outline and applicable guidelines discussed in Anacortes Community Forest Lands Comprehensive Trail Plan; Appendix #3.

Motor Vehicles

Goal: Prohibit the use of motor vehicles in City forest lands and parks except on designated roads.

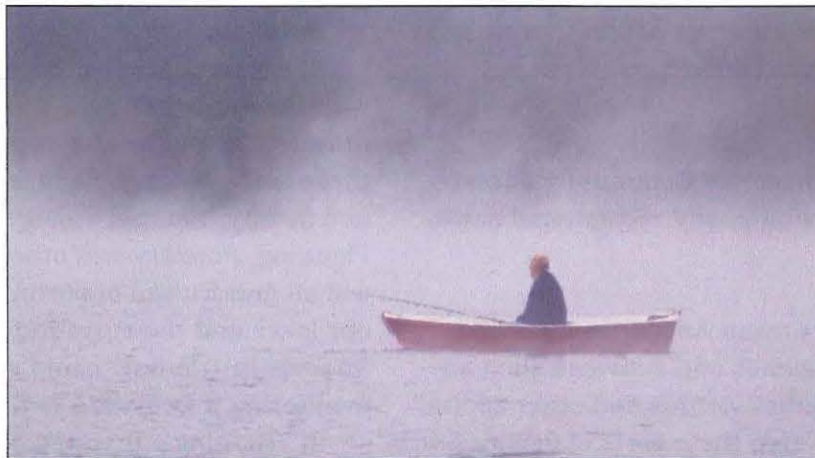
Policies:

1) All access points into City property shall be gated or blocked to prevent unauthorized vehicular access.

2) No unauthorized motor vehicles (cars, trucks, and ATVs) will be allowed on ACFL roads.

3) Motorcycles are prohibited on all ACFL trails from November 1 to March 31 due to seasonal closure.

Motorcycle engines over 250 cc are prohibited. Street legal dual sport motorcycles shall be exempt from the 250 cc size limitation. Only four cycle engines are allowed in the ACFL. For specific trail uses see current Comprehensive Trail Plan



(Appendix III).

Fishing

Goal: Provide the opportunity for local residents to fish in Little Cranberry, Heart and Whistle Lakes.

Policies:

1) Develop or improve limited access points for fishing City-owned lakes.

2) Prohibit use of any combustion engines on Whistle Lake, Little Cranberry Lake and Heart Lake.

Electric motors are allowed.

3) At the present time, Whistle Lake will not be enhanced for sport fishing.

4) Develop a long-range sport-fishing plan in conjunction with the State Game Department.

5) Monitor fish population in conjunction with water-quality monitoring program.

There are seven major lakes on Fidalgo Island. Each has particular recreational and fisheries value. Heart Lake is a well-known trout-fishing lake. Campbell Lake and Lake Erie both have boat-launch facilities and are managed for spiny-ray and trout. Pass Lake is a fly-fishing-only lake adjacent to Highway 20. Trafton Lake (Crater Lake) is surrounded by private property. Little Cranberry Lake is accessible by automobile and is actively used for fishing. Whistle Lake is the only lake not impacted by automobile access. Whistle Lake will be reserved for a more "primitive" recreational experience.



Encourage joint cooperative arrangements with the school district, local colleges and universities and local non-profit organizations to use these lands for ongoing research projects.

Hunting and Trapping

Goal: Hunting and trapping are not allowed on City land. Resolution No. 968, adopted December 7, 1987 and amending Resolution No. 663, prohibit all hunting, trapping, and discharge of firearms on Anacortes Community Forest Lands.

Other Activities

Goal: To use the Anacortes Community Forest Lands for dispersed low-intensity recreational activities.

Policies:

1) Developed park sites in Anacortes allow the opportunity for group games and activities such as baseball, soccer, basketball, tennis and other sports. There is no need to develop these sorts of facilities on City Forest lands.

2) Deception Pass State Park and Washington Park offer an opportunity for overnight recreational

camping. It is not appropriate to develop any facilities of this sort in the ACFL.

3) Possession or consumption of alcohol is prohibited in the ACFL.

4) Recreational groups in excess of 25 participants shall apply for a permit from the Anacortes Parks and Recreation Department under the Special Events section of the Anacortes Municipal Code.

5) Commercial activities in the ACFL that do not violate existing policies may be permitted by the Parks and Recreation Director in consultation with the ACFL Advisory Board.

Education

Goal: The ACFL shall continue to be made available for community forest

education that encourages stewardship of our natural resources, a conservation ethic, and deeper understanding of our unique forest ecology. Support ongoing forest

education programs aimed at educating residents and visitors with guided hikes, school programs, speakers, print and web materials, and other programs.

Policies:

1) Encourage joint cooperative arrangements with the Anacortes School District, local colleges and universities and local non-profit organizations to use these lands for ongoing research projects by students and faculty. Botany, Biology, Outdoor Recreation, Planning, Forestry and other academic disciplines will all find fruitful opportunity in the watersheds of our lakes and the surrounding forest lands. These "experts-in-training" could supply useful baseline and monitoring information to the managing authority.

2) Teaching our young people about the recreational and natural values of their land will develop an attitude of possession and care which can translate into less vandalism and destruction of park and forest areas in the future.

3) Provide physical infrastructure as appropriate to support environmental education efforts.

4) Continue to support the education, outreach and stewardship efforts of the Friends of the Anacortes Community Forestlands as a civic partnership.

Management Procedures

Management Authority

Goal: To provide efficient and effective management of the Anacortes Community Forest Lands in order to implement the goals and policies of this report. Under Council form of government, the City Council has ultimate legal authority and sets policy direction for the City. The Mayor is charged with management responsibility for administration of all City assets under the direction of the City Council. The City Council must approve all contracts, asset sales, and use policies. Within the framework of these legal restrictions, it is recommended that the Advisory Board set use policies and effectively guide management of the Anacortes Community Forest Lands.

Policy:

1) Maintain the "Anacortes Community Forest Advisory Board."

a) The Board should consist of five members, appointed by the Mayor and confirmed by the City Council.

Membership should be one member of the Parks and Recreation Commission, one member of the Planning Commission, and three citizen members.

b) Terms of the Board members should be 5 years, with the initial terms staggered to provide for reappointment of one member each year.

c) At least four members should be residents of the City of Anacortes, with it being permissible for the fifth member to reside elsewhere on Fidalgo Island.

2) The duties and responsibilities of the Anacortes Community Forest Advisory Board shall include the following:

a) Setting use policies and guidelines, under the terms outlined in this report, for the Anacortes Community Forest Lands as well as for Cranberry Lake Park, the summit of Mt. Erie, and the area that formerly comprised Heart Lake State Park. Use policies

requiring legal enforcement authority shall be confirmed by the City Council.

b) Securing additional studies, trail plans and surveys as deemed necessary by the Board.

c) Recommending an annual budget to the Mayor

and the City Council for management of the Anacortes Community Forest Lands.

d) Providing policy advice to the Mayor and City Council for the long range use, enhancement and conservation of the resource.

e) Conducting periodic reviews and recommendations for required changes in this plan and providing technical advice to the Mayor and City Council for its implementation.

f) Serving in a liaison capacity with interested citizens, user groups, educational institutions and volunteer service organizations.

g) Maintaining a Trail Committee and Mt. Erie

Committee for recommendations concerning trail use and climbing management.

Finance

Goal: Funding for ACFL Management will be provided by the annual Parks and Recreation Department Budget.

Policy:

1) A Forest Land Management Fund has been created by ordinance. This ordinance specifies the uses for which these monies may be expended. The funds derived from the Conservation Easement Program and the lease of the AFCL for mining also have specifications and limitations regarding their use.

2) If necessary, special accounts may be set up within the Forest Land Management Fund.

3) Any revenues derived from the forest lands



shall only be used for Forest Lands management, stewardship, land acquisition and education.

4) Continue coordinated planning and joint funding and maintenance of facilities among the various providers of park and recreation services (State, County, School, City, private entities).

Enforcement

Goal: The policies and regulations developed in this plan will be enforced by the appropriate authority.

Policies:

1) The Community Forest Lands will be patrolled by the City of Anacortes Police Department.

2) Continue community education to help people understand the cost of vandalism and illegal dumping in the Forest Lands and damage this can do to the environment.

3) Defensively plan facilities to minimize vandalism. Build and design rugged facilities to harmonize with surroundings.

4) Maintain facilities. Rundown areas promote vandalism and destructive behavior.



Fire Protection

Goal: To protect the City forest lands from damage or destruction by fire.

Policies:

1) In conjunction with other forest management activities, improve and map the existing road system to allow fire vehicle access.

2) Maintain existing fire plan in conjunction with the Anacortes Fire Department and Department of Natural Resources.

3) Prohibit fireworks, fires and barbeques in the community forest lands. Any open flame used for cooking or lighting is prohibited in the ACFL.

4) Levy stiff fines, in addition to suppression costs, for violations.

5) Smoking is prohibited within the Community Forest Lands.

Access, Signs and Boundary Markers

Goal: The boundaries of the Anacortes Community Forest Lands shall be clearly marked to indicate that users are entering publicly owned property.

Policies:

1) Boundaries of areas likely to be impacted by recreational use or real estate development should be surveyed and posted as quickly as possible. In some cases, this should be done in cooperation with adjacent private owners.

2) All access roads and parking areas within the ACFL shall be maintained in a safe manner.

3) All access and egress points should be posted with notification that use of the City of Anacortes lands is governed by certain rules and regulations.

4) Access roads should be blocked by sturdy gate, ditch and berm or other suitable barriers to prevent unauthorized garbage dumping, timber harvesting and creation of mayhem on City lands. Unauthorized uses should be punishable by stiff fines.

5) A distinctive, visible boundary tag should be used to indicate Anacortes

ownership.

Cooperation with Adjacent Property Owners and Public Agencies

Goal: All land management decisions should be compatible with adjacent land owners within Anacortes and on Fidalgo Island.

Policies:

1) On land outside the City limits, efforts should be made to contact adjacent private property owners and inform them of the intended use of the City land. Every attempt should be made, as early as possible, to resolve present and potential conflicts arising from timber harvesting, trespass, garbage dumping, etc.

2) Development adjacent to City forested lands and/or watersheds should provide buffers, erosion and drainage control measures and access control. This should be part of the review by City staff, the

Planning Commission and City Council.

3) Whenever necessary, reach agreement with adjacent land owners to create, by easement, purchase or donation, buffer areas between developments and public use lands and public trail access. This recommendation depends upon the specific characteristics of the site.

4) Work with neighboring jurisdictions, Skagit Land Trust and private landowners to acquire or protect in an undeveloped state wildlife corridors between the ACFL and other undeveloped and marine habitats on Fidalgo Island including Deception Pass State Park.

Future Acquisition Considerations

Goal: Assure guaranteed public access to Anacortes Community Forest Lands. The parcels listed below would guarantee future access to areas important for conservation and recreation.

Policy:

1) Consider acquisition of a public access to the rock-climbing route to Mt. Erie. One of the primary recreational uses of Mt. Erie is by rock-climbing groups often numbering up to 50 people. Cooperate

with private landowners to maintain a non-motorized trail along the south side of Mt. Erie.

2) Prioritize acquisition of land adjacent to the

forest lands and acquire or protect by other means all wetlands, streams and ponds that flow into forest lands lakes and wetlands. Priority should be given to acquiring land that is contiguous to the ACFL, provides critical habitat, is part of the drainage system of an ACFL lake or wetlands, helps connect or improve ACFL trail access, or is an important wildlife corridor.



Appendix 1: History

History of Land Acquisition

Every land-use document prepared for Anacortes has a standard history of the City, its incorporation and growth. It is not necessary to repeat, once again, that scenario. There is, however, another history, more crucial to the responsible development of this comprehensive plan.

The first half of this century, especially the period before 1930, was a time of growing civic awareness of the scenic resources of this area. As a result, numerous individuals deeded land to the City for "public park purposes." What follows is a brief catalog of the major land parcels dealt with in this plan, the donor and the restrictions and covenants these donors placed on the deeds.

These donations are examples of what is called the "bequest motive," or the desire of people to leave estates for their heirs or the public. The dedication of private properties for public parks is exemplary of this desire. Douglas Allmond, John M. Morrison, Gus Hensler, Tonjes Havekost, and others all donated substantial holdings to the people of Anacortes to assure that future generations would have natural environments to enjoy and grow with.

As our population grows, these natural areas will increase in value and future utility. For many people, exploring these areas and using them for recreation is often secondary to the knowledge that they exist. This knowledge is a resource of personal satisfaction – that a part of the natural world still surrounds us, unpaved, unlit and unspoiled, in perpetuity.

Cranberry Park was created by City Council on January 7, 1964, by Ordinance No. 1358. These were Water Department lands which are to be used for public park purposes and managed by the Park Department. Cranberry Lake is approximately 25 acres and the park land is approximately 106 acres. "Said Park is created in order to preserve for public use and general welfare the natural beauty and recreational facilities of Little Cranberry Lake for such period of time as the said property is not required for actual use by the Water Department in the public interest."

John M. Morrison Natural Park. Douglas and Cora Allmond donated this park to the City on February 25, 1928, and on March 12, 1928. Other owners, including L. Farmer and W. Odlin and E. English, also donated substantial holdings. This area includes

the forested ridge seen from downtown Anacortes when looking west. The parcel donated on February 25th is in the Tuttle and Buckley Addition, including a portion of the large marsh which drains into Little Cranberry Lake. The parcel donated on March 12 (the ridge) is in the Northern Pacific Addition. Both areas are platted with streets and alleys.

Although Douglas Allmond stipulated that these lands "for all time be named John M. Morrison Natural Park," the City Council of Anacortes has never ordinances these lands as Mr. Allmond wished. The Anacortes Chamber of Commerce advertisements from the 1930s state that "J.M. Morrison Natural Park is a recent gift to the City by public-spirited citizens. It is scenic and admirably adapted to park uses."

Morrison was a former mayor of Anacortes at the beginning of the century who, with Allmond, "conceived of the idea of the peninsula forming the extreme northwesterly part of Fidalgo Island being secured to the City for park purposes (Sunset Park/Washington Park)." Morrison was also the President of the Chamber of Commerce when that organization led the effort to make Deception Pass a State Park. In Allmond's words, "No man ever appreciated or loved the woods of Puget Sound more than Mr. Morrison." (August 5, 1925).

Allmond donated these lands "with the absolute condition and proviso that said land and timber be never alienated by the grantee or used or permission given to use it for any other than strictly park purposes and that the park hereby created shall for all time be named John M. Morrison Natural Park." In the original deed "property" was the original language but was changed to read "land and timber." The City Attorney advises that this change, coupled with the naming of the park "Natural Park," are severely restrictive.

Another 60 acres of land was also donated to the City directly south of Little Cranberry with the same restrictions, but without the designation, "Morrison Park."

Water Department Lands. The major portion of these extensive holdings, including most of Section 26 (south of Cranberry Lake), the Whistle Lake basin, and both sides of Heart Lake Road, were obtained by the City on August 2, 1919, when Anacortes bought Douglas Allmond's Washington Power, Light and



July 1967

Water Company for \$135,000. The assets included all equipment and these extensive land holdings. The 80 acres at the north end of Heart Lake were acquired from the State in order to control the outflow of the lake for public water purposes. The City still has the right to drain the lake or raise its level by 4 feet.

On November 26, 1952, F.E. and Eva Foss donated 80 acres located adjacent to the Hensler/Kiwanis donation on Mt. Erie for \$1.00.

There are no restrictions on use or sale of Water Department Lands attached to the original deeds. Since 1999 and the creation of the Conservation Easement Plan, most of these former lands have been placed under conservation easement and are subject to the restrictions of that program.

Mt. Erie Park. Gus Hensler donated 120 acres around the summit of Mt. Erie to the City on January 12, 1934. His will states the following: "Said property to be deeded by my executors to the City of Anacortes for park purposes, it being my wish that same be a haven of safety for birds and/or animal."

On March 30, 1951, the Kiwanis Club, by way of Dr. Ray Pinson, deeded the City the 40-acre summit of Mt. Erie. "The property herein conveyed shall be used for public park purposes only, and any other use by the Grantee shall render this instrument void and cause title to revert to the Grantor, his successors and assigns. The Grantor hereby reserves the right to place, upon a prominent part of the property herein conveyed, a suitable plaque to inform the public that the land was donated by the Anacortes Kiwanis Club." A limited area at the top of Mt. Erie has been leased for communication towers. All revenue from these leases is used for park purposes.

Other Donations. In December of 1996, Floyd

and Mary Willette donated 20 acres to the Anacortes Community Forest Lands with a deed restriction stating "for park purposes only."

In 2001 the City of Anacortes purchased approximately 16 acres south of Whistle Lake from the McIntyre family.

On March 29, 2002, The State of Washington transferred 436 acres that formerly made up Heart Lake State Park to the City of Anacortes. The land came with a number of restrictions in place that were incorporated in a subsequent management plan.

In 2003 Bill Welch and Nels Strandberg donated 15 acres of wetlands and upland forest east of Mitten Pond to the City of Anacortes.

In 2006 Barbara Wells donated approximately .5 acre of forested land adjacent to 29th Street in the Anacortes Community Forest Lands. The land was donated to be used strictly for park purposes with the condition that the "land and timber never be alienated by the grantee."

History of Logging on City Properties

During the time Bob Powell was the City Forester, he compiled, by way of City Council minutes and associated documents, a chronology of forest-related activities on City land from 1942 until 1975.

The record reveals that during the decade 1942-1952, eight separate logging contracts were signed by the City Council. These sales, mostly to local businesses, including Anacortes Veneer and a local ship-building firm, encompassed most of the City forest lands.

All of Section 26, south of Little Cranberry, except the John M. Morrison Natural Park area, was cut over during the late 1940s. During the same period,

the timber at the north end of Heart Lake was cut. F.E. Foss and Sons logged much of the timber at the north and south end of Whistle Lake and the east side of Mt. Eric. Also, during this period, the right-of-way for the Mt. Erie Road was cleared and the south face of Sugarloaf was logged.

In addition, many contracts for wood cutting and salvage logging were let by Council. All of these requests were granted "provided contractors stay 300 feet from the lake shore" or "provided a 300-foot strip be left along lake and road (Heart Lake Road) to preserve scenic beauty."

The record makes clear that at no point in the past has the City had any long range management plan for these lands. It is most likely that much of this land had been previously logged, by horses or oxen, sometime around the turn of the century. In short, except for buffer strips expressly left in the past for scenic and aesthetic reasons, most of the City forest land has been logged at least once, perhaps twice; either clear-cut or high-graded. There was no conscious effort to reforest and as a result many areas grew

up in brush and undesirable species. Forest fires have swept across much of this area. Past practice has left inferior or defective trees for seed sources.

In the past, the City has allowed certain parties to work on City land salvaging dead and dying timber. A memorandum from Bob Powell indicates the kind of problems that can result from unsupervised forest practices when the City supposedly "knows" what is going on. The potential loss of resources and revenues through unsupervised activities does not need to be elaborated upon.

Any residual large trees, not along visible road

corridors or lake shores, remain because they were deemed unmarketable or inaccessible when surrounding timber was cut.

In 1984, 1985 and 1986, partial cuts were contracted by the ACFL Board in the South Cranberry and Whistle Lake units, covering about 50 acres each year. These contracts removed more than 500,000 board feet, but because they did not turn a profit, selective cutting was abandoned in 1987 in favor of

clear cutting. That year 20 acres were cut in two units northwest of Whistle Lake. More than 400,000 board feet was harvested, but the road building cost half of the City's share of the revenue, so that job also did not cover the ACFL expenses that year.

In 1988, four parcels totaling 20 acres, were clear cut northeast of Whistle Lake, removing 400,000 board feet of timber and producing enough revenue to cover the ACFL budget and a small surplus which was carried over to 1989. In that year another 20-acre clear cut in one parcel southwest of Heart Lake harvested another 400,000 board feet of timber and generated revenue sufficient to pay the ACFL budget for 1989 and 1990.

At this point two things happened to stop the logging activity: the Board and ACFL staff began to doubt the capacity of the forest lands to sustain this level of harvesting; and the citizens of Anacortes, led by the Friends of the Forest organization, began to voice their opposition to logging in the ACFL.

In 1989, an ad hoc committee was appointed by the Forest Advisory Board to study the problem, and their recommendation was that timber harvesting as a source of revenue be stopped. A petition circulated by the Friends of the Forest demanded that all logging on the ACFL be stopped and alternative funding



Whistle Lake circa 1920. Courtesy of the Anacortes Museum, Judd Collection.

be found. A survey conducted by the Board through the Parks & Recreation Department's quarterly newsletter indicated that the majority of residents of Anacortes and Fidalgo Island did not want the City to harvest timber in the ACFL. Another survey, randomly distributed throughout the city and statistically valid, showed that Anacortes citizens did not want logging to occur on City forest lands, nor do they want any revenue facilities built on these lands, but they do expect the City to manage them for current uses and protect them from fire, vandalism, and trespass.

In response to these statements of citizen concern, the Forest Advisory Board stopped all logging activity and began pursuing other methods of funding the ACFL management program.

In 1990 the Forest Endowment Fund was authorized by Council, and the ACFL Board and Friends of the Forest began soliciting donations. When the fund reached \$50,000, interest from it could be used for ACFL management. Early in 1991, donations had exceeded \$10,000, indicating public support for the Endowment; and the State law banning export of timber from public lands went into effect. Both of these events convinced the Planning Commission and Forest Board to recommend deletion of revenue logging from the revised Forest Plan and the City Comprehensive Plan. On April 15, 1991, City Council voted to remove all references to logging, with the exception of limited salvage of blow down and hazard trees.

Conservation Easement Program

In 1998 the Conservation Easement Program (CEP) was initiated to protect the community forest lands from logging, mining and development while

raising money to pay for management and stewardship of the ACFL. It was created when City Council passed Resolution #1492 on December 21, 1998.

The program places one acre of land under conservation easement for every \$1,000 donated. City Council reviews and approves each round of acreage that is protected. The Skagit Land Trust and Friends of the ACFL are partners with the City in this project.

The Skagit Land Trust holds the easements and



Little Cranberry Lake viewed from the south end of the lake, circa 1920. Courtesy of the Anacortes Museum, Judd Collection.

places them on file with the Skagit County Auditor and the Friends of the ACFL help promote the project in the community.

The easement program was conceived of as means to replace lost logging revenue which was discontinued in the ACFL in late 1980s. The money donated goes into the Forest Endowment Fund. The principal of this fund cannot be spent; however interest revenue can be used for the forest lands.

In August of 2007, the fund surpassed the initial goal of \$1.5 million, 11 years ahead of schedule. The CEP will continue as long as there is land to conserve in the community forest lands and people willing to contribute to its protection.

Appendix 3: Comprehensive Trail Use Plan

	Page
I. Introduction	25
II. The Trail Plan	25
A. Trail Plan Limitations	25
1. Environmental Limitations	25
2. Safety Limitations	25
3. Fire Hazard Limitations	25
4. Natural Hazard Trail Construction Limitations	25
5. Seasonal Trail Closures	25
6. Provision for Trail Plan Amendment	25
B. The Cranberry Area	25
1. Rationale for Trail Designations	25
2. Trail Designations	25
C. The Whistle Lake Area	27
1. Rationale for Trail Designations	27
2. Trail Designations	27
D. The Heart Lake Area	28
1. Rationale for Trail Designations	28
2. Trail Designation	29
III. Implementation of the Trail Plan	29
A. Enforcement and Education	29
1. Trail User Rules and Regulations	29
2. Signage	31
3. Enforcement	32
4. Brochure	32
5. ACFL Trail Committee	32
B. Trail Maintenance	32
1. Maintenance Standards	32
2. New Trails	32
3. Work Crews	32
4. Yearly Trail Maintenance Record	32

Appendix 3: Comprehensive Trail Use Plan

I. Introduction

This comprehensive trail use plan builds upon the plan originally created for the 1991 Forest Lands Management Plan. It is designed with a sense of stewardship for native flora and fauna in the Community Forest Lands and the need to balance multi-use recreational activities. The goal of this plan is to ensure the protection of the ACFL and provide a range of recreational activities.

II. The Trail Plan

A. Trail Plan Limitations

1) Environmental Limitations

If wildlife, flora, or water quality are being adversely impacted at certain locations by trail users, the trail plan may be amended in those areas to protect environmental quality. The trail use plan must always ensure that these goals are not hindered. The procedure for amending the trail plan due to environmental impacts is as follows:

- a) Environmental impact must be documented.
- b) Environmental impact documentation must be made available to the Parks and Recreation Director, the Forest Advisory Board, and interested citizens.
- c) The trail Committee and/or Mt. Erie Committee shall review the proposed amendment and make a recommendation to the Forest Advisory Board.
- d) User-group representatives must be notified of any potential trail plan changes and must have the chance to be present and make comment during the decision-making process.
- e) Amendment to the trail plan must be passed by the Forest Advisory Board in cooperation with the Parks and Recreation Director.

2) Safety Limitations

Multiple use trails have the potential to create safety problems for all user groups. The trail user rules and regulations, if followed, should prevent safety problems; however, if it is found that the trail use plan must be changed to alleviate trail user collisions, or a number of near-collisions, the following procedure for amending the trail plan must be followed:

- a) The safety hazard must be documented.
- b) Safety hazard documentation must be made available to the Parks and Recreation Director, the Forest Advisory Board, and interested citizens.
- c) The Trail Committee and/or Mt. Erie Committee shall review the proposed amendment and make a recommendation to the Forest Advisory Board.
- d) User-group representatives must be notified of any potential trail plan changes and must have the chance to be present and make comment during the decision-making process.
- e) Amendment to the trail plan must be passed by the Forest Advisory Board in cooperation with the Parks and Recreation Director.

3) Fire Hazard Limitations

Seasonal dry periods may require temporary trail closures due to high fire danger. These closures do not require trail plan amendment. These trail closures can be mandated by the Department of Natural Resources or can be requested by the Parks and Recreation Director in consultation with the Forest Advisory Board.

4) Natural Hazard Trail

Construction Limitations

There will be times when natural hazards may re-

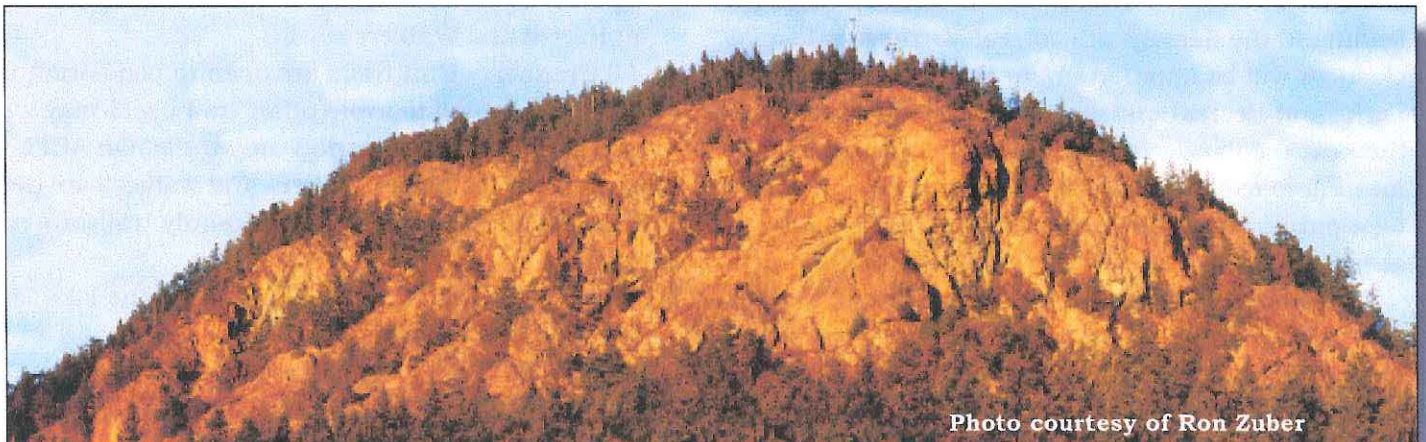
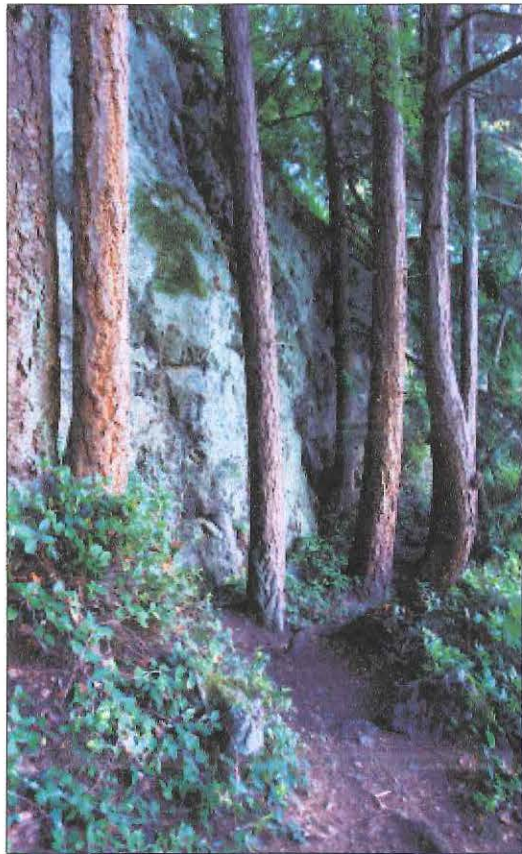


Photo courtesy of Ron Zuber

quire temporary trail closures. Trails may be washed out, bridges may become unsafe, or a trail crew may be working on a portion of trail causing it to be temporarily unusable. In such circumstances, the trails involved can be closed temporarily without trail plan amendment. These trail closures will be imposed under the discretion of Parks and Recreation Director, and will be posted until the trail is repaired.



5) Seasonal Trail Closures

Motorcycles are prohibited on all ACFL trails from November 1st to March 31st. Staff shall have the authority to extend the seasonal closure if warranted with Forest Advisory Board approval.

Due to trail conditions during the wet season or if unexpected situations arise throughout the year, seasonal closures may be invoked for other user groups to minimize trail damage. A trail or series of trails may be closed until the problems or conditions leading to the damage are corrected. These seasonal closures will be imposed under the discretion of the Parks and Recreation Director and be discussed at the next regularly scheduled Forest Advisory Board meeting to explain the reasons for the closure and take public input. Seasonal closures will be posted at trailheads and/or popular parking areas.

6) Provision for Trail Plan Amendment

Unforeseeable circumstances may create in the future the need for trail plan amendments other than those already provided for in the trail plan limitations. If such a situation arises, amendment to the

plan must follow the procedures below.

a) The public and user-group representatives must be notified of any amendments proposed by the Forest Advisory Board or the Parks and Recreation Director that have not been covered under other Trail Plan Limitations.

b) The public and user-group representatives must be given the opportunity to make public comment. A public hearing must be held for those amendment proposals which elicit a large amount of public concern.

c) After public comment, the Forest Advisory Board will make a recommendation and send the proposed amendment on to the Anacortes City Council for a final decision.

d) As new trails are added to the ACFL system, permitted uses shall be determined by environmental considerations and what uses are allowed on connecting trails. In between comprehensive plan updates, new trail designations can be found on updated ACFL trail maps, and rationale for permitted usage will be available through ACFL Trail Committee minutes and/or Forest Advisory Board minutes.

B) The Cranberry Area

1) Rationale for Trail Designations

The Cranberry Lake Area of the ACFL includes a number of environmentally sensitive areas. There is one lake, three large beaver ponds, and numerous smaller wetland areas, which support diverse wildlife populations. There are also a number of rocky bluffs covered by thin soils and small meadows of native wildflowers. To protect these sensitive environments, the trail plan for the Cranberry Unit directs the heaviest usage to the South end. All terrain vehicles (ATV's) are prohibited on all Forest Lands Trails.

2) Trail Designations

a) Hikers and Walkers

All Cranberry Unit trails are open to pedestrian users. Those wishing to avoid other trail users may wish to use some of the pedestrian-only trails. On ACFL trail maps, trails open to hikers and walkers are designated with a "W." The pedestrian-only trails are as follows:

- 1) The #101, #102, #132 loop around the lake shore of Little Cranberry.
- 2) Trail #103, #133 the Morrison Forest Nature Trail.
- 3) Trail #122, the Mine Shaft Trails.

4) Trail #123, along the east shore of the Big Beaver Pond.

5) Trails #130 and #131 on the west side of Little Cranberry.

6) Trail #125 on the south shore of Big Beaver Pond.



Refer to the map for the Little Cranberry Area.

b) Horses

Horses are allowed on most Cranberry Area trails. As with mountain bikes and motorcycles, horses are prohibited in some trails near shorelines and areas where the terrain does not accommodate horse access. On ACFL maps, trails open to horses are marked with an "H." Horses are permitted on the following trails:

1) Horses are permitted on Trails #100, #127, #128, #105 and #104 around Little Cranberry Lake.

2) Horses are permitted on Trails #106, #107, #108, #109, #110, #129, #10, #11, and #12 around the Big Beaver and Little Beaver Ponds.

3) Horses are currently permitted on most trails in the South Cranberry area south of the beaver ponds, this includes Trails #113, #114, #115, #117, #118, #120, #124, #126, #134, and #135.

Refer to the map for the Little Cranberry Area.

c) Mountain Bikes

Pedaled bicycle use is allowed on many trails throughout the Little Cranberry area. On ACFL trail maps, trails open to mountain bikes are marked with a "B." Mountain bikes are permitted on the following trails:

1) Mountain bikes are permitted on Trails #104, #105 #106, #107, #108, #109, #110, #119, #121, #129, #10, #11 and #12 near Little Cranberry Lake,

the Big Beaver and Little Beaver Ponds.

2) Mountain bikes are currently permitted on most trails in the South Cranberry area south of the beaver ponds, this includes Trails #113, #114, #115, #116, #117, #118, #120, #124, #126, #134, and #135.

Refer to the map for the Little Cranberry Area.

d) Motorcycles

Motorcycle use must remain in the South end of the Cranberry Area. Access is provided to the south end via Trail #10 at the Old City Dump. Motorcycles are permitted on the following trails:

1) Motorcycles are permitted on many trails in the South Cranberry area south of the beaver ponds; this includes trails #12, #111, #115, #120, #134.

2) Motorcycles are permitted on Trail #10, south of Trail #12. Motorcycles are also permitted on sections of Trail #113 and Trail #124. Refer to the map for the Little Cranberry Area.

C) The Whistle Lake Area

1) Rationale for Trail Designations

The Whistle Lake Area includes deep forest areas, a pristine lake, a swamp, mountainous bluffs with native wildflowers, and numerous trails. This relatively undisturbed area must be protected from over-use, thus our trail designations direct most non-pedestrian usage to wide forest trails and old skid roads. All terrain vehicles (ATVs) are prohibited on all Forest Lands Trails.

2) Trail Designations

a) Hikers and Walkers

All Whistle Lake Area trails are open to pedestrian users. Those hikers seeking to avoid other trail users may wish to use some of the pedestrian-only trails. On ACFL trail maps, trails open to hikers and walkers are designated with a "W." The pedestrian-only trails are as follows:

1) Trail #246 at the cliffs is hiker only.

2) Trail #205, along the East shore of Whistle Lake from the end of #20 to the intersection with Trail #29.

3) Trail #215, from its Southern access on Mt. Erie Road to the top of Sugarloaf.

4) Trail #214, the Ray Auld Trail.

5) Trail #227, #228 and #238 near the Sugarloaf meadow, and Trail #216 which leads to the summit of Mt. Erie. Refer to the map for the Whistle Lake Area.

b) Horses

Horses are allowed on most Whistle Lake trails. As in other areas horses are prohibited near the shorelines and in sensitive meadow areas. Horse use is

permitted on the following trails.

1) Horses are permitted on trails #20, #21, #22, #26, #27, #28, #29, #201, #202, #203 #206, #207, #218, #219, #225, #226, #229, #231, #232, #234, #235, #237 and #245. Horses are permitted on trail #233 where it is a double track trail. Horses are permitted on Trail #204 along the West edge of Whistle Lake, to trail #203. Horses are permitted on Trail #217 but must turn on Trail #245 before heading west to Whistle Lake.

2) Horses are only permitted on Trail #205 on the stretch of trail between Trail #22 and Trail #206.

3) Horses climbing Sugarloaf must access 215 from its north end at the base of Ray Auld Drive. Near the top of Sugarloaf, horses must be left in the marked wooded intersection on Trail #226. Leaving horses at this intersection and walking out to the viewpoint will protect the meadows and native wildflowers.

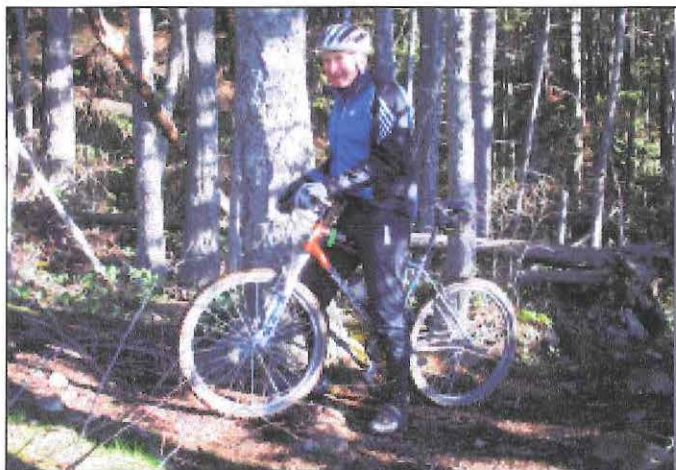
4) Horses are prohibited on Trail #217 on the stretch from #245 to #205.

Refer to the map for the Whistle Lake Area.

c) Mountain Bikes

Mountain bikes are allowed on most Whistle Lake Unit trails. Mountain bike use is permitted on the following trails:

1) Mountain Bikes are permitted on Trails #20, #21, #22, #26, #27, #28, #29, #201, #202, #203, #204, #206, #207, #217, #218, #219, #225, #226, #229, #231, #232, #233, #234, #235, #237, #245, #247 and #248. Mountain bikes are permitted on



trail #205 except the section along the shore of Whistle Lake from Trail #20 to Trail #29.

2) Mountain bikes are prohibited on trail 215 from its southern access on Ray Auld Drive, to the top of

Sugarloaf. Mountain bikes climbing Sugarloaf must access Trail #215 from its north end at the base of Ray Auld Drive. Near the top of Sugarloaf, mountain bikes must be left in the marked wooded intersection at Trail #226. Leaving bikes at this intersection and walking to the viewpoint will protect the meadows and native wildflowers.

Refer to the map for the Whistle Area.

d) Motorcycles

Motorcycles are allowed on a number of Whistle Lake Area trails. Motorcycles are permitted on the following trails:

1) Motorcycles are permitted on Trails #20, #21, #22, #27, #28, #29, #201, #206, #231, #232, #234, #235, #237 and #245.

2) There is no motorcycle access to the cliffs at Whistle Lake.

3) Motorcycles are prohibited on Trail 207 except that portion between trails 230 and 21.

4) Motorcycles are prohibited on most of Trail 205, except that portion of 205 between its intersection with trails 206 and 22. Motorcycles are prohibited on trail #202 (through the Sugar Cube meadow) except the section between Trail #231 and Trail #27.

5) Motorcycle use is prohibited on trail 215. Trail #226 is open to motorcycles approaching Sugarloaf from the east until it intersects with Trail #238. Leaving motorcycles at this intersection and walking to the viewpoint will protect the meadows and native wildflowers.

Refer to the map for the Whistle Area.

D) The Heart Lake Area

1) Rationale for Trail Designations

The area that made up the former Heart Lake State Park was transferred to the City of Anacortes in 2002. A management plan was developed shortly thereafter to make this area part of the Anacortes Community Forest Lands and is incorporated into this document. All trail designations conform to requirements passed along by the State of Washington at the time of the transfer or are the result of the subsequent management plan.

The State required that all the land transferred to the City be non-motorized. Therefore all trails in the former State Park are closed to motorcycles. This includes trails around the lake, south of the lake, and almost all trails east of Heart Lake road that were once part of the State Park. All terrain vehicles (ATV's) are prohibited on all Forest Lands Trails.

2) Trail Designations

a) Hikers and Walkers

All Heart Lake Area trails are open to pedestrian use. On ACFL trail maps, trails open to hikers and walkers are designated with a "W." The following are pedestrian only trails:

1) Trails #213, #243 and #249 are hiker only.

2) Trail #210 from the Heart Lake parking lot to intersection of Trail #242 is hiker only. Trail #210 is also hiker only from the intersection of Trail #250 to Trail #212.

3) East of Heart Lake Road, in the former State Park lands, Trail #320 is hiker only. Refer to map for Heart Lake Area.

b) Horses

Horses are allowed on most Heart Lake area trails. The following are open to horseback riding:

1) Trail #23, #25, #208, #209, #211,

#212, #221, #222, #223, #224, #236, #240, #241, #242, #244 and #250.

2) Trail #210 is open to horses from the intersection with #242 to Trail #250.

3) East of Heart Lake Road, in the former State Park lands all trails in the #300 series, except trail #320, are open to horses.

Refer to map for the Heart Lake Area.

c) Mountain Bikes

Mountain bikes are allowed on most Heart Lake area trails. The following are open to mountain bikes:

1) Trail #23, #25, #208, #209, #211, #212, #220, #221, #222, #223, #224, #236, #240, #241, #242, #244 and #250.

2) Trail #210 is open to mountain bikes from the intersection with #242 to Trail #250.

3) East of Heart Lake Road, in the former State Park lands all trails in the #300 series, except trail #320, are open to mountain bikes. Refer to map for Heart Lake Area.

d) Motorcycles

Motorcycles are only allowed on a limited number of trails north of Heart Lake. The following trails are

open to motorcycles:

1) Trail #23, #208, #209, #221, #222, #236, #240, and #244.

2) East of Heart Lake Road motorcycles are prohibited on all trails in the #300 series with the exception of Trail #300 from Trail #232 to Trail #21. Refer to map for the Heart Lake Area.

III. Implementation of the Trail Plan

A) Enforcement and Education

1) Trail User Rules and Regulations

a) General Rules and Regulation

1) Trail users found or proven to be violating the ACFL trail users rules and regulations can be cited and/or fined.

2) All City, State, and Federal laws that apply within the city limits of Anacortes can be enforced within the ACFL, except where differences are specifically outlined in this trail plan, or other ACFL documents.

3) All trail users must remain on designated trails. Clearing new trails or traveling off-trail is prohibited except as otherwise allowed by the Forest Advisory Board.

4) Knowledge of trail designations is the responsibility of the user (barring sudden changes which have not been posted or announced). Traveling on trails not designated for the mode of transportation being used is prohibited. Trail use violators on unmarked trails where signs have been vandalized or removed can still be ticketed and fined.

5) Trail users must obey all seasonal trail closures. Motorcycles are prohibited on all ACFL trails from November 1 to March 31. Two cycle engines and ATV's are prohibited year round

6) Pets must be leashed at all times.

7) Littering is prohibited on ACFL property. All litter and dog waste must be packed out.

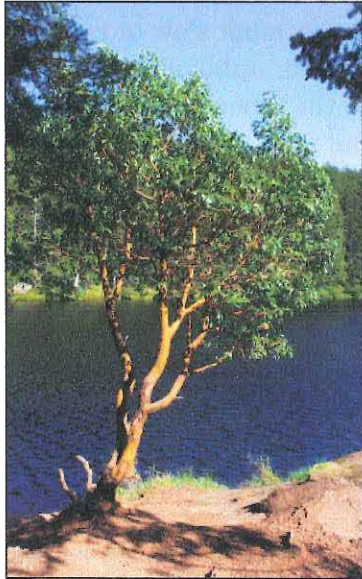
8) Fireworks, fires or barbeques are prohibited. Smoking in the ACFL is prohibited. Possession or consumption of alcohol is prohibited.

9) The taking of trees, shrubs, bushes, flowers or other vegetation from the ACFL land is prohibited.

10) Hunting and trapping are prohibited on ACFL property.

11) The taking of mammals, reptiles, amphibians, birds, or any other wildlife (with the exception of legal sports fishing) is prohibited.

12) Geocaching is allowed in the ACFL by permit only. Permits are available through the Parks and



Recreation Department.

b) Hiker Rules and Regulations

1) Pedestrians must remain on trails designated for hiker use in the ACFL trail plan. Traveling off trail is prohibited except as otherwise allowed by the Forest Advisory Board.

2) Hikers must walk in such a way that they will have little or no adverse impact. It is unlawful to cause the following impacts:

- ☐ severe erosion
- ☐ damage to vegetation along the trail
- ☐ damage to vegetation in meadows and mossy outcrops
- ☐ damage to trails such that trail use by other users is hindered

3) Upon meeting a horse, mountain bike, motorcycle or other hiker from the front, a hiker should slow down or stop and move to the right to allow safe passage to the other users. If you meet a horse, let the horse have the uphill edge of the trail. Say "Hi" as each rider in a string passes you, otherwise a green horse may spook when the thing seen as a stump suddenly moves.

4) Upon meeting a horse, mountain bike, motorcycle or other hiker from behind, a hiker should slow or stop, announce his/her presence and ask that the other user(s) move to the right (or uphill side in the case of a horse) to allow safe hiker passage. Only when the other user is safely out of the way may the hiker proceed.

5) When stopping along the trail, hikers should move over to the right or uphill trail edge to be out of the way of others. Ideally, a hiker should wait for a widening in the trail before stopping.

c) Horserider Rules and Regulations

1) Horses must remain on trails designated for horses in the ACFL Trail Plan. Traveling off-trail is prohibited. No horse shall be off tether.

2) Horses must be handled in such a way that they will have little or no adverse impact. It is unlawful to allow your horse to cause the following impacts:

- ☐ severe erosion
- ☐ damage to vegetation bordering the trail
- ☐ damage to vegetation in meadows or mossy out-

crops

☐ damage to trails such that trail use by other users is hindered

3) When stopping for equipment adjustment or to view the scenery, horseriders should move over to the right or uphill trail edge to be out of the way of others. Ideally, a rider should wait for a widening in the trail before stopping.

4) Upon meeting a hiker, mountain bike, motorcycle, or other horse from the front, a horse rider must slow or stop, move to the right, or uphill side, and allow safe passage to the other trail user(s). Keep the horse's head facing the trail to avoid kicking.

5) Upon meeting a hiker, mountain bike, motorcycle, or other horse from behind, a horserider should slow or stop, announce his/her presence, and ask that the other user move to the right or downhill side. Only when the other user is safely out of the way may the horse proceed. Keep the horse's head facing the trail to avoid kicking.

6) Maintain at least one horse length between horses when traveling in groups.

7) Horse riders must remove all manure left by their horses from parking areas and designated picnic areas. If no receptacle area or container is provided, take it out with you.

8) When tying up horses, be sure to tie them in such a way that damage to vegetation or trees will be minimal. Causing severe impact is unlawful.

d) Mountain Bike Rules and Regulations

1) Mountain bikes must remain on trails designated for mountain bikes in the ACFL Trail Plan.

2) Bikes must be handled in such a way that they will have little or no adverse impact. It is unlawful to cause the following impacts:

- ☐ severe erosion
- ☐ damage to vegetation bordering the trail
- ☐ damage to vegetation in meadows or mossy outcrops
- ☐ damage to trails such that trail use by other users is hindered

3) When stopping along the trail, bikers should move over to the right or uphill trail edge to be out of the way of others. Ideally, a biker should wait for a widening in the trail before stopping.



4) Upon meeting a hiker, horse, motorcycle or other mountain bike from the front, a biker must slow or stop, move to the right (unless meeting a horse when one should let the rider use the uphill side even if it is on the right), and allow passage to the other trail user(s).

5) Upon meeting a hiker, horse, motorcycle or other mountain bike from behind, a biker should slow or stop, announce his/her presence and ask that the other user move to the right (or uphill grade in the case of a horse). Only when the other trail user is safely out of the way may the mountain biker proceed.

6) Maintain at least one bicycle length between bikes when traveling in groups.

7) Mountain bikes shall not exceed 15 mph on the trails designated for their use.

e) **Motorcycle Rules and Regulations**

1) A motorcycle is defined as a two-wheeled vehicle. Motorcycle engines over 250 cc are prohibited. Street legal dual sport motorcycles shall be exempt from the 250 cc size limitation. Only four cycle engines are allowed in the ACFL. Two-cycle engines are prohibited. Three and four-wheeled all terrain vehicles are prohibited on ACFL trails.

2) Motorcycles must have an adequate and operating muffler that limits exhaust noise to 105 decibels at 20 inches from the exhaust, to be trail legal in Washington State.

3) Motorcycles must have a USDA Forest Service approved spark arrestor to be trail legal in Washington State.

4) Motorcycles must have lighted headlights and taillights at night or during poor visibility to be trail legal in Washington State.

5) Motorcycles must have brakes which work properly to be trail legal in Washington State.

6) Motorcycle riders must have a valid Washington State ORV permit or vehicle license to be trail legal in the State of Washington.

7) Motorcycles must remain on trails designated for motorcycle use in the ACFL Trail Plan. Off-trail riding is prohibited.

8) Motorcycles shall not exceed 15 mph on trails

designated for motorcycle use.

9) Motorcycles must be handled with extreme caution. Riding unsafely in any way is strictly prohibited and will be enforced. Motorcycles must ensure that all other trail users they meet will be safe from collision or fear of collision. These trails are heavily traveled by pedestrians of all ages.

10) Motorcycles must be handled with extreme caution in environmentally sensitive areas. Wetland areas and erodible trails must be protected from impact. Trail plan amendment will be required if impact becomes great.

11) Upon meeting a hiker, horse, mountain bike, or other motorcycle from the front, a motorcycle must stop, move to the right (or downhill side in the case of meeting a horse) and allow safe passage to the other trail user(s).

12) Upon meeting a hiker, horse, mountain bike, or other motorcycle from behind, a motorcyclist must stop, announce his/her presence and ask that the other user move safely to the right or uphill side to allow safe motorcycle passage. Only when the other user is safely out of the way may the motorcycle proceed.

13) Maintain at least two motorcycle lengths between riders when traveling in groups.

14) Motorcycles must be handled in such a way that they will have little or no adverse impact. It is unlawful to cause the following impacts:

- ☐ severe erosion
- ☐ damage to vegetation bordering the trail
- ☐ damage to vegetation in meadows or mossy outcrops
- ☐ damage to trails such that trail use by other users is hindered

15) The ACFL recommends that all motorcycle users obtain and read the Washington Off-Road Vehicle Guide from the Washington Department of Natural Resources. This guide provides information important to all motorcycle trail riders.

16) Motorcycle rules and regulations stated here shall be reviewed annually for effectiveness, with regard to safety, protecting habitat, minimizing trail damage and promoting compatibility with other user groups.

2) Signage

Enforcement of the Trail Plan requires proper signage. A sign will be used to mark all access points,



trail intersections, and points where trail use could be confusing.

Trail Designation Sign Design

A number of other signs are also needed. Private property boundaries must be signed where ACFL trails run onto private land and signs are needed for those locations where trail users must leave bikes, horses, and motorcycles, and walk to view points or lakes. Signs will be put up by staff with the help of volunteers from the different user-groups.

3) Enforcement

The vast majority of the ACFL lies within the Anacortes city limits. Thus, all city, state, and federal laws that apply within the city limits of Anacortes can be enforced within the ACFL. Exception to this would occur only where differences from city laws are specified in this trail plan or other ACFL documents.

Enforcement of the law will be provided by Anacortes Police Department. Trail users found to be violating the Rules and Regulations specified in this plan or the laws of the City of Anacortes can be cited and fined.

4) Brochure

It is vital to the success of this trail plan to provide for the public a condensed version of this plan. These will be provided on the reverse side of all ACFL Trail maps and may contain the following:

- ☐ explanation of how the trails are signed
- ☐ rules and regulations
- ☐ trail designations
- ☐ suggestions for minimum environmental impact
- ☐ user group representatives listed as contacts
- ☐ Parks and Recreation Department contacts

These brochures should be made available within all map sets sold from the Forest Lands office at City Hall, User Group representatives, and at well-used trail heads.

5) ACFL Trail Committee

For each user-group (horse riders, hikers, mountain bikers, motorcyclists, persons with disabilities, and an ACFL naturalist), a volunteer representative shall be appointed by the Forest Board and Parks and Recreation Director to the ACFL Trail Committee. The ACFL Trail Committee is to:

- a) assist ACFL Staff and the Forest Advisory Board with questions regarding new trails, trail re-routes, trail closure, trail signage, review of the trail plan.
- b) be available to represent their user-group at Forest Board meetings when issues affecting the trail

plan arise.

- c) be available to organize volunteer trail maintenance work parties with their user-group, when needed in the ACFL. All maintenance projects must be approved by the Parks and Recreation Director.

B) Trail Maintenance

1) Maintenance Standards

Trail maintenance shall follow standards for Recreation Trail Maintenance as shown in the booklet available from the State of Washington Department of Natural Resources or other recognized trail manuals and staff experience. Resources will be available at the Parks and Recreation Office.

2) New Trails

New trails may be built if such construction is deemed necessary by the Parks and Recreation Director in cooperation with the Forest Advisory Board. The Trail Committee should be involved and review trail location. Trail construction should be completed with all due care to native flora and fauna while providing a quality recreational experience. New trail construction can be completed by user-group volunteers or crews arranged and supervised by the Forest Lands Staff.

3) Work Crews

The ACFL encourages and depends upon volunteer help in maintaining trails. Volunteers wishing to help with trail work must contact the Forest Lands Manager prior to starting any projects. The Parks and Recreation Office will be able to supply a list of the areas needing work the most, and resources on trail maintenance. The Forest Lands Office may also be able to supply some of the equipment needed. Non volunteer trail maintenance is also done, by employees of the Parks and Recreation Office and contracted work crews such as the Washington Conservation Corps.

4) Yearly Trail Maintenance Record

To facilitate trail maintenance, a record of areas needing trail work or having had trail work completed will be kept by the Parks and Recreation Department. This record will provide information for volunteers and Parks and Recreation Department on the status of the trail system on a yearly basis. Such a record will show the continual trouble areas, which user-groups are causing the most damage, which user-groups are contributing the most volunteer trail maintenance, what types of trail maintenance is most successful, etc. The record shall be updated yearly.

Appendix 4: Heart Lake Management Plan

Introduction

In 2002, the State of Washington deeded Heart Lake State Park to the City of Anacortes. 436 acres including the lake and land surrounding it was transferred to the City with a number of conditions regulating its use as a recreational area.

The State Parks and Recreation Commission divided the land at Heart Lake into three separate areas noted on the attached map:

Natural Forest Area: the land along the southwest portion of the lake, stretching along the southern edge including one area on the east side of Heart Lake Road.

Resource Recreation Area: the land along the northwest portion of the lake and most of the area east of Heart Lake Road except that area designated as Natural Forest or Recreation.

Recreation Area: the current parking lot at Heart Lake and the former overflow parking east of Heart Lake Road.

In their deliberations, the Heart Lake Management Plan Committee decided to treat the lake surface as a fourth and separate area for review. Management of the lake surface shall take into consideration the environmental sensitivity of the adjacent upland areas.

In December of 2003, the City began work on a management plan by seeking input from the community about use of Heart Lake and the surrounding land. The results of that input and numerous meetings by an eight member planning committee are contained within these pages.

State regulations for the former State Park listed a variety of permitted and conditional activities. The Committee spent significant time reviewing each of these to determine if they were appropriate. The State did mandate that all trails be non-motorized. The Committee agreed not to challenge the State regulations during the planning process.

This management plan is intended to become an amendment to the existing Anacortes Community

Forest Lands Management Plan drafted in 1991, and to follow the same rules expressed in that document unless otherwise noted.

Committee members:

Doug Colglazier - Parks and Recreation Advisory Commission
Denise Crowe - ACFL Trail Committee
Marty Laumbattus - ACFL Trail Committee
Bart Lovric - Whidbey Island Roostertails Racing Club
Alan Mazonson - Parks and Recreation Advisory Commission
Geri Rubin - ACFL Trail Committee
Bruce Rustad - ACFL Trail Committee
Dan Senour - ACFL Trail Committee
Buzz Bannister - Whidbey Island Roostertails Racing Club (alternate)

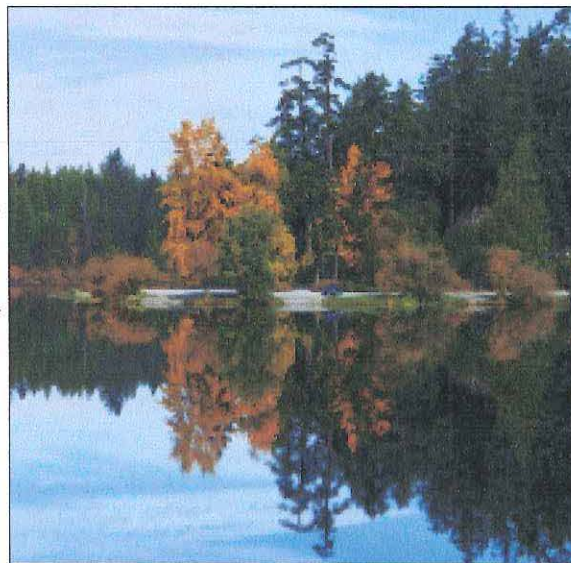
History

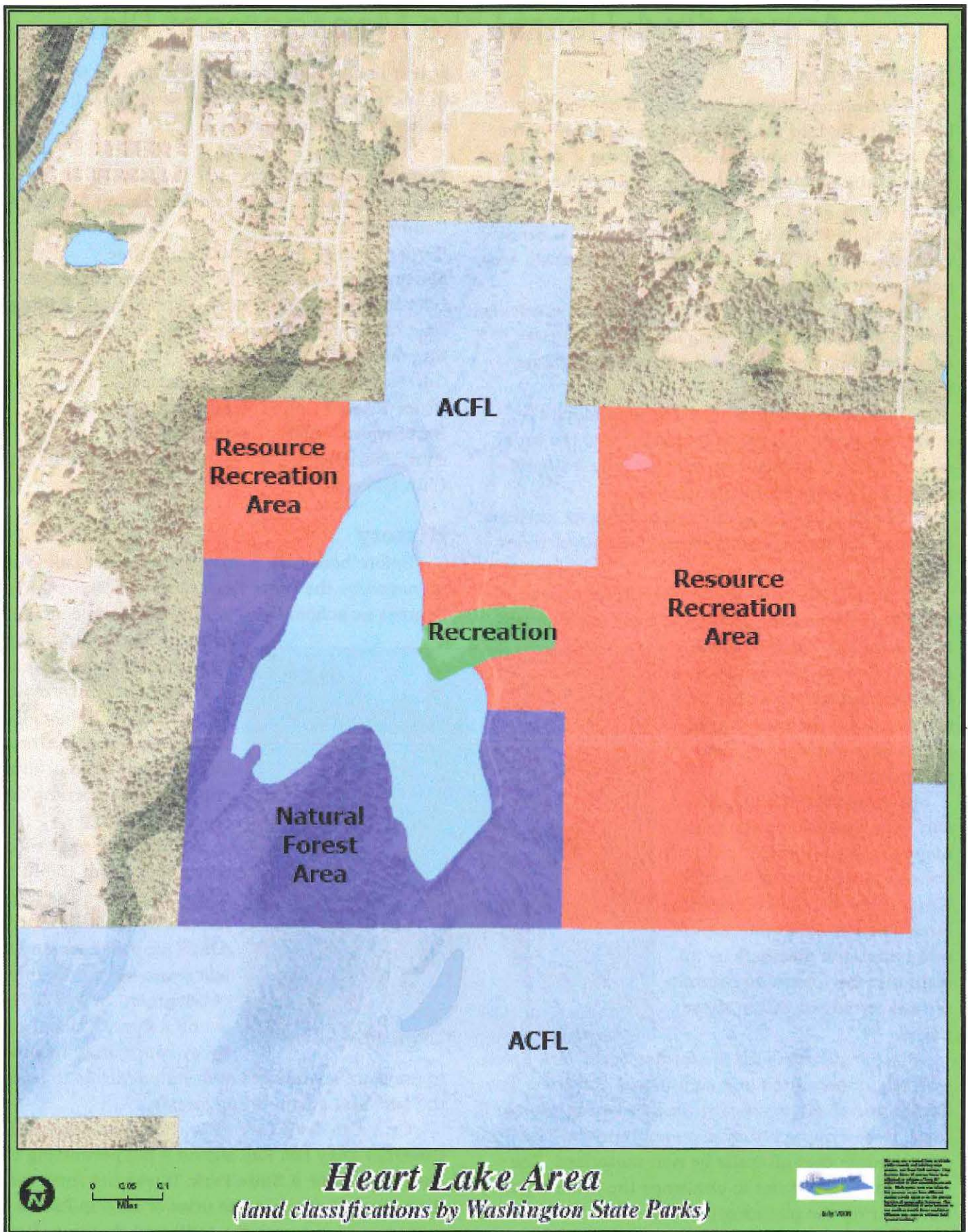
Before becoming a State Park, Heart Lake was managed by the State Department of Natural Resources as school trust land. While long considered a back up water supply for the City of Anacortes, it was also a recreational resource used year round by Fidalgo Island residents and attracted large crowds from around the region for the opening day of fishing season.

Local citizens became concerned about the future of the lake when the Department of Natural Resources (DNR) proposed leasing the lakeshore for condominium development in 1977. This set off a flurry of local activity by community members

to pressure lawmakers and State officials to preserve the lake and surrounding forests.

On Valentine's Day 1980, then Washington State Governor Dixy Lee Ray signed a bill permitting Heart Lake to become a State Park. It was not until more than a year later that the price of \$2.5 million was agreed upon between the DNR and the State Parks and Recreation Commission for the transfer of the





land into the park system.

In 2002, the City of Anacortes and State Parks and Recreation concluded their long-standing discussions regarding transfer of the land and the lake. Governor Gary Locke signed the deed transferring the Heart Lake State Park to the City on March 29, 2002. The deed contains a reversionary clause, which allows the State to retake control of the land if the City violates conditions of the transfer. The City formally took control of the former State Park on June 1, 2002.

Natural Forest Area

The Natural Forest Area is comprised of approximately 75 acres. It covers the old growth forest in the southwest area of the lake and extends across Heart Lake road to include a small grove of ancient forest just east of the road.

Trail Use: All trails in the Natural Forest Area are for use by hikers only. Horses, mountain bikes and motorcycles are prohibited. Off trail use is prohibited. No taking of trees, shrubs, bushes, flowers, fungi or other vegetation. Hand picking of berries and other edibles from the trails for consumption while in the forest is allowed. Picking for home consumption or for retail is prohibited. Cross-country skiing and snow shoeing on those trails are permitted winter recreation activities.

Conditional Uses: Interpretive Trails and signage; filming; special events; interpretive kiosks; and non-motorized paved trails for ADA access. Activities listed as "conditional uses" are those uses that need to be approved by the Anacortes Community Forest Lands Advisory Board in advance.

Future Trail Plans: The existing loop around the lake could be made more explicit on ACFL maps, and maps at trailhead kiosks could also be improved to show a clear route. This could also include renumbering the loop route or giving it a "name" to assist trail users. The trail could have interpretive signage at the trailhead to educate hikers regarding the old growth forests in the area.

A future plan on both how to best cross Heart Lake road in this loop route, or to allow non-motor-

ized users to safely transit the road corridor is encouraged. Side trails on this loop route should be reduced.

Management Authority: Under Council form of government, the City Council has the ultimate legal authority and sets policy direction for the City. The Mayor is charged with management responsibility for administration of all City assets under the direction of the Council. The City Council must approve all contracts, asset sales and use policies. Within

this framework, it is recommended that the Anacortes Community Forest Lands Advisory Board suggest use policies and effectively guide management of the Natural Forest Area. As an amendment to the existing Anacortes Community Forest Lands Manage-



ment Plan drafted in 1991, this plan will follow the same rules expressed in that document unless otherwise noted.

Resource Recreation Area

The Resource Recreation area is comprised of approximately 292 acres. It includes the northwest corner of the former State Park, the road corridor, and the entire area east of Heart Lake Road except that zone previously noted as Natural Forest Area.

Trail Use: All trails in the Resource Recreation Area are open to hikers, horses, and mountain bikers. Motorcycles are prohibited. Off trail use is prohibited. No taking of trees, shrubs, bushes, flowers, fungi or other vegetation. Hand picking of berries and other edibles from the trails for consumption while in the forest is allowed. Picking for home consumption or for retail is prohibited. On trail cross-country skiing and snow shoeing are permitted winter recreation activities.

Picnicking is permitted; users are asked not to disturb native plants and pack their trash out. Picnic tables and picnic structures are not recommended for this area.

Conditional Uses: Filming; equestrian hitching posts; and paved non-motorized trails for ADA access. Activities listed as “conditional uses” are those uses that need to be presented to the Anacortes Community Forest Lands Advisory Board prior to approval.

Future Trail Plans: Interpretive information and signage may be included in a future trail plan. Sanitary vault or composting toilets may be constructed in this area if needed.

Roads shall be limited to those already existing in the Resource Recreation area and parking would be limited to that which already exists along Heart Lake road.

Management Authority: Under Council form of government, the City Council has the ultimate legal authority and sets policy direction for the City. The Mayor is charged with management responsibility for administration of all City assets under the direction of the Council. The City Council must approve all contracts, asset sales and use policies. Within this framework, it is recommended that the Anacortes Community Forest Lands Advisory Board suggest use policies and effectively guide management of the Resource Recreation Area. As an amendment to the existing Anacortes Community Forest Lands Management Plan drafted in 1991, this plan will follow the same rules expressed in that document unless otherwise noted.

Recreation Area

The Recreation Area is comprised of approximately eight acres. It encompasses the existing parking lot and the former gravel parking lot and overflow parking area east of Heart Lake Road.

Trail Use: All trails are open to hikers, horses and mountain bikers. Motorcycles are prohibited. Off trail use is prohibited. No taking of trees, shrubs, bushes, flowers, fungi or other vegetation. Hand picking of berries and other edibles from the trails for consumption while in the forest is allowed. Picking for home

consumption or for retail is prohibited.

Information/Education Facilities: A rustic type of amphitheater in the parking lot area that could seat up to 30 people and be used for environmental education was approved as a conditional use. It could be covered. The committee encourages any covered facility to have a multi-use function (i.e.: both picnic and interpretive/educational) and to be limited to the appropriate size and scale for the area.

Permitted Uses: Snow shoeing (on trail); wind surfing; swimming; sailing; hand launch areas; launch ramps; floating dock (instead of pier); cross country skiing; kayaks and canoes; walking; mountain biking; equestrian trails; interpretive signs, trails, or kiosks; vehicle parking; roads (review location concerning environmental issues); equestrian facilities (allow parking and hitching post); paved non-motorized trail for ADA purposes (review location concerning environmental issues); composting or vault toilets (review location and design concerning environmental issues).

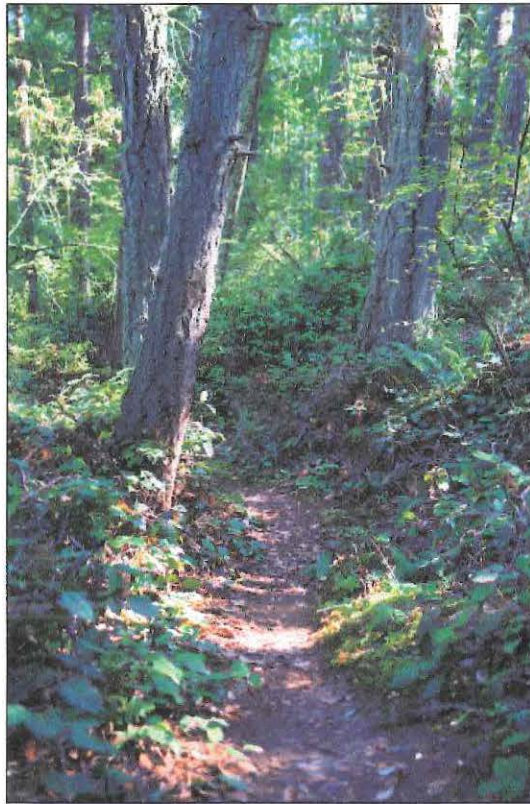
The committee noted that they have heard from the public that they would like to recreate at the lake (fishing, swimming, picnicking, etc.). The committee encourages “rustic” facilities to accommodate these activities.

Conditional Uses: Organized

non-profit group activity, interpretive centers; environmental learning center; filming; and special events. Activities listed as “conditional uses” are those uses that need to be approved by the Parks and Recreation Advisory Commission in advance. Harvesting of shellfish, fish, and algae will be coordinated with the State Dept. of Fish and Wildlife.

Children’s play area: It should be in keeping with the surrounding area and could incorporate a natural theme or could be an artistic piece that was designed to be suitable for children to play on.

Camping: The committee opposed developing camping at the lake without supervision by full-time staff. The committee decided that camping could



occur in self-contained units, in the current parking lot area by special permit only. Staff must be present during the event. The Committee did not wish to see the development of a special camping area with individual campsites.

Beach Use: The Committee would like to accommodate use by the public and separate this from vehicle traffic; this is raised out of a concern for safety of all users. They expressed a vision of a clean sand or grassy area for picnic blankets, etc. by the edge of the lake and an overall reduction of the current gravel parking lot. If grass is used, there was a desire to see that it not be fertilized or irrigated, etc. as to minimize impact on the lake's ecosystem from excess nitrogen.

Boat Launch: Consideration should be given to moving the current boat launch to the east – southeast side of the parking lot. The Committee received comment that the west shore of the parking area is shallow and preferable for wading. Relocating the boat launch would better separate boaters from other users at the shoreline.

Prohibited Uses (from list provided by the State): Wood debris collection; snowmobiling; mushing/sled dogs; off trail skiing; alpine skiing; white water boating; mooring buoys; jet skiing; Nordic track skiing; rock climbing; skiing facilities; sports fields; paragliding; off trail use; ocean beach driving; orienteering; metal detecting; indoor accommodations; haying; mushroom harvesting; grazing; farming or orchards.

Management Authority: Under Council form of government, the City Council has the ultimate legal authority and sets policy direction for the City. The Mayor is charged with management responsibility for administration of all City assets under the direction of the Council. The City Council must approve all contracts, asset sales and use policies. Within this framework, it is recommended that the ACFL Advisory Board suggest use policies and effectively guide management of the Recreation Area. As an amendment to the existing Anacortes Community Forest

Lands Management Plan drafted in 1991, this plan will follow the same rules expressed in that document unless otherwise noted.

Lake Surface

Heart Lake is approximately 51 acres in size. It is bordered by Heart Lake Road to the east, has a large gravel parking lot on its northeastern shore, second growth forests to the north and northwest, and a significant grove of old growth trees to the south and southwest. Fidalgo Island residents have used it as a popular recreational destination for boating, fishing, swimming, mini-hydroplane racing, bird watching, and occasional ice-skating when the winter weather permits. Management of the lake surface shall take



into consideration the environmental sensitivity of the adjacent upland areas. Problems with algae and milfoil shall be addressed with this in mind, but if manual removal is not effective chemical herbicides may be used.

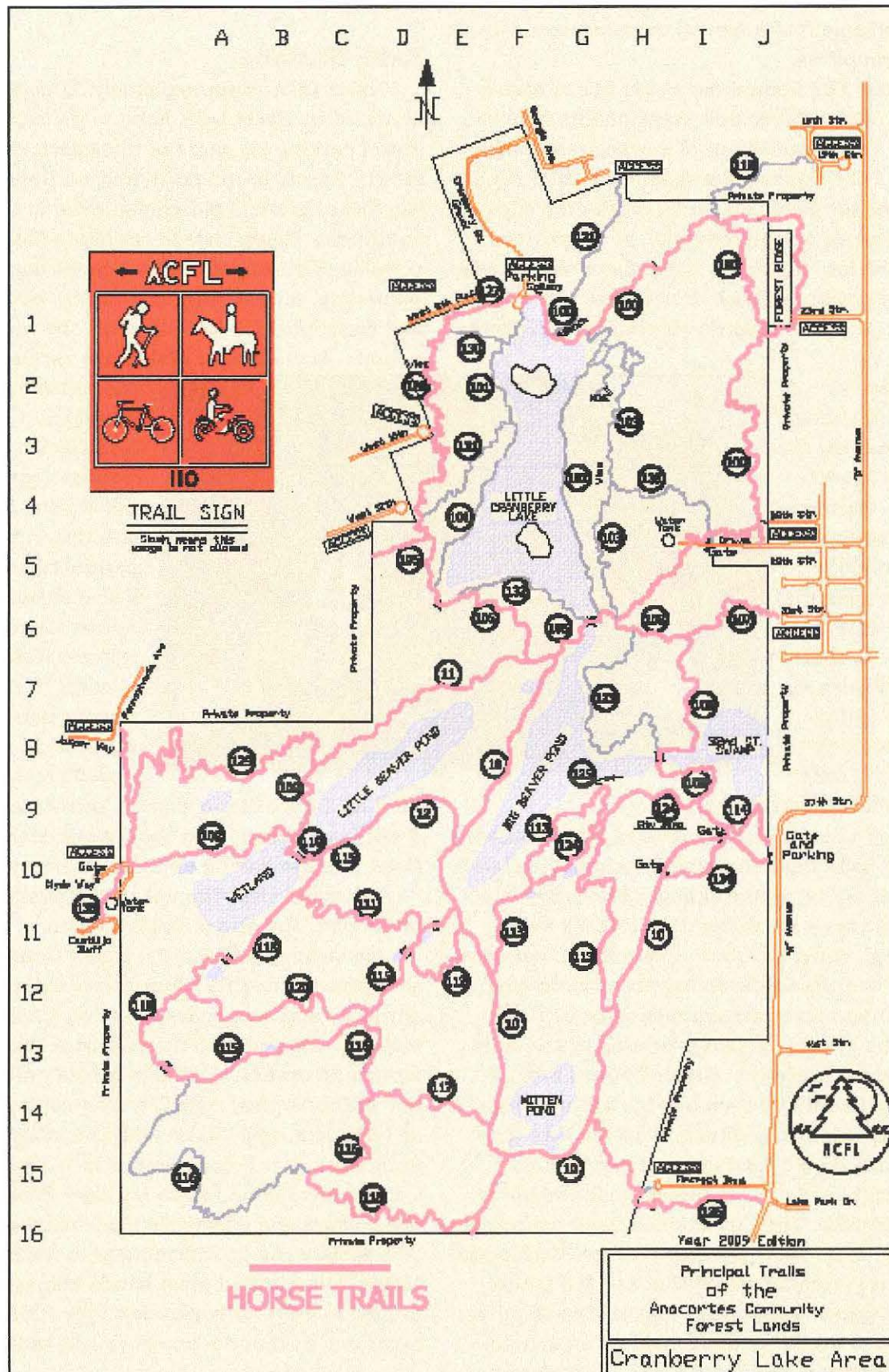
Dock: A floating dock adjacent to the Recreation Area for non-commercial recreational use is approved provisionally with

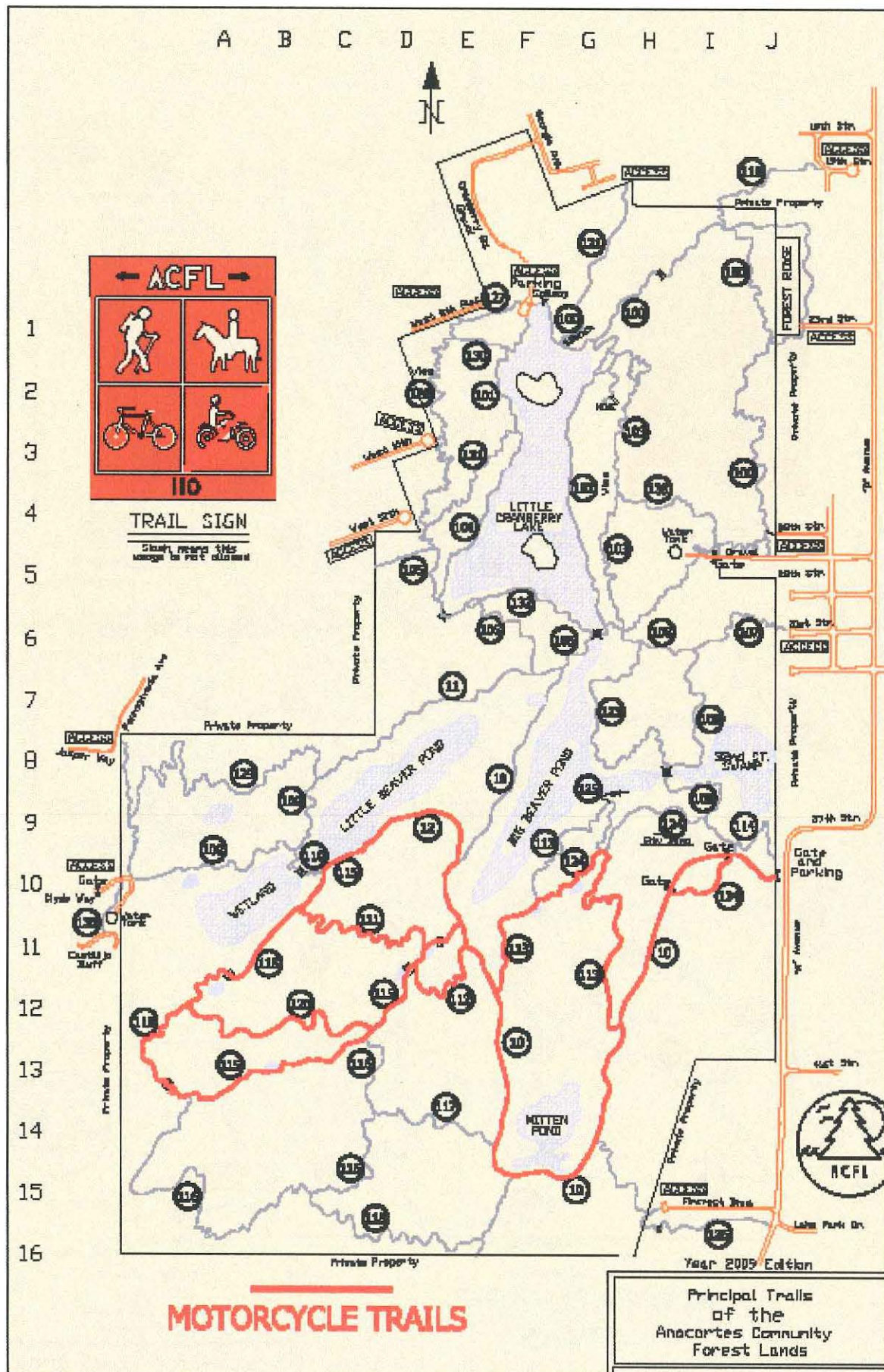
need for future discussion on location and style of dock. Consideration on the style of dock should be given to those having minimal environmental impact.

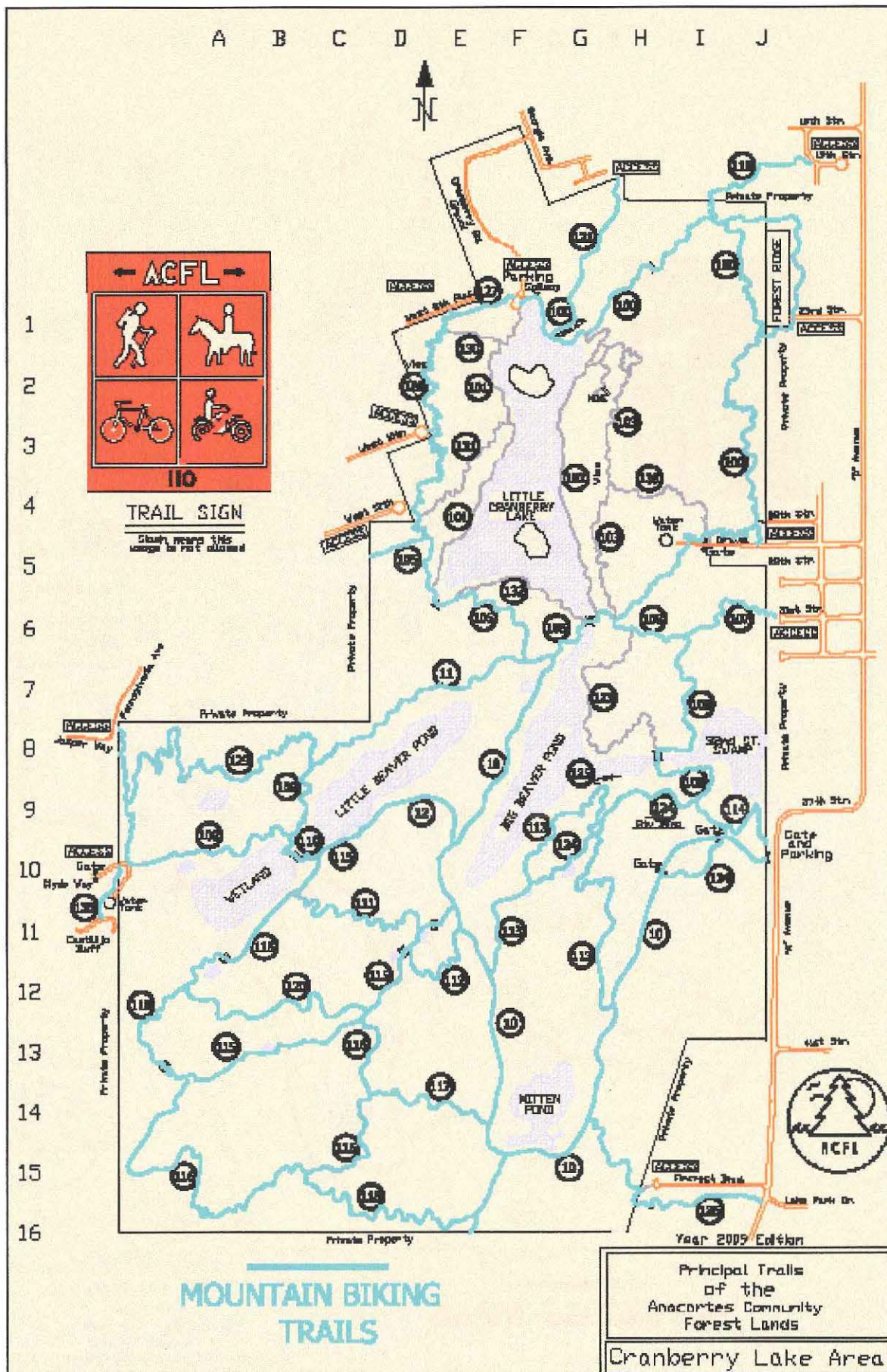
Motorized Use: The use of combustion engines is prohibited. The speed limit is 5 mph.

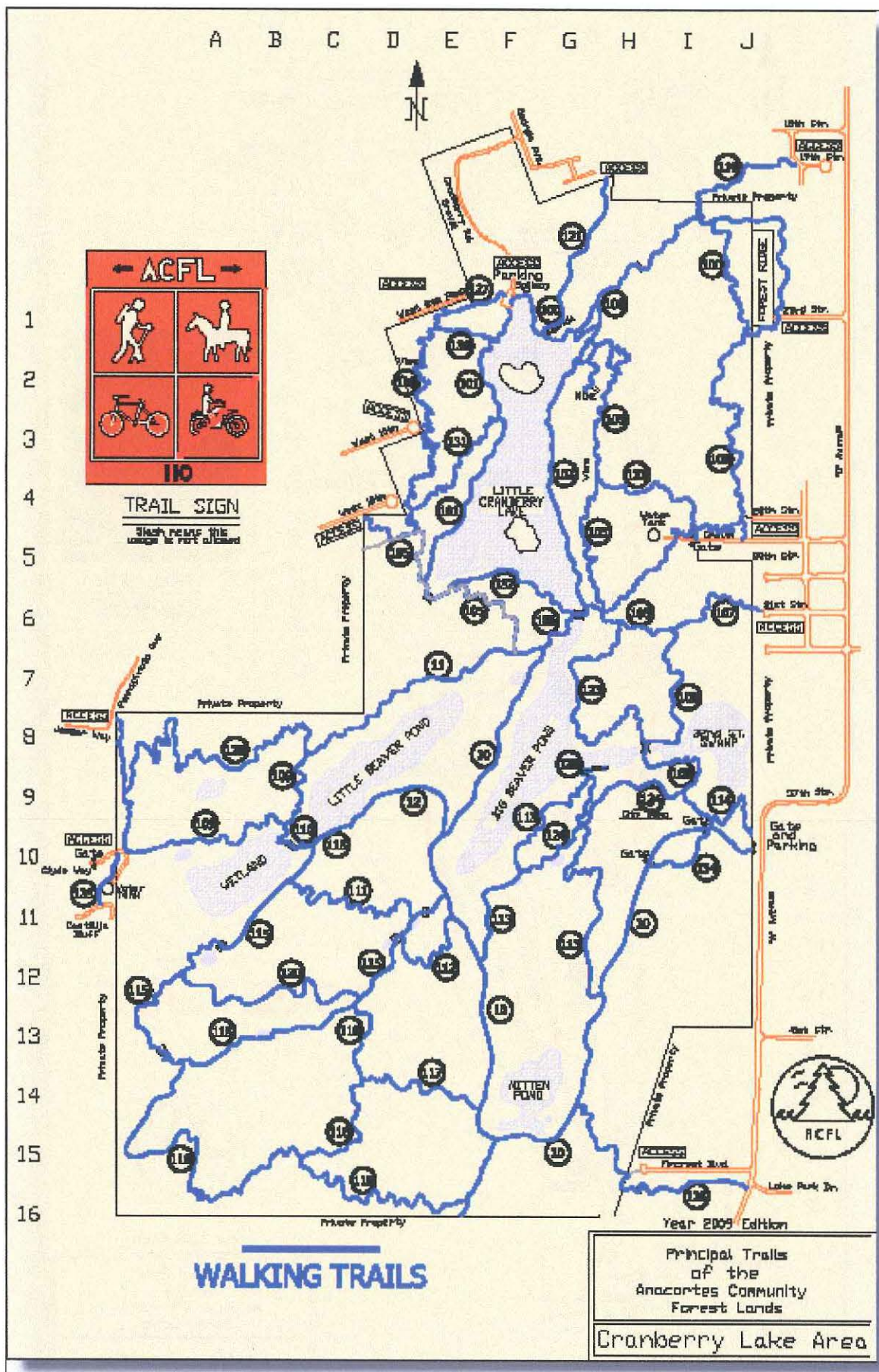
Management Authority: Under Council form of government, the City Council has the ultimate legal authority and sets policy direction for the City. The Mayor is charged with management responsibility for administration of all City assets under the direction of the Council. The City Council must approve all contracts, asset sales and use policies. Within this framework, it is recommended that the Anacortes Community Forest Lands Advisory Board suggest use policies and effectively guide management of the lake surface. As an amendment to the existing Anacortes Community Forest Lands Management Plan drafted in 1991, this plan will follow the same rules expressed in that document unless otherwise noted.

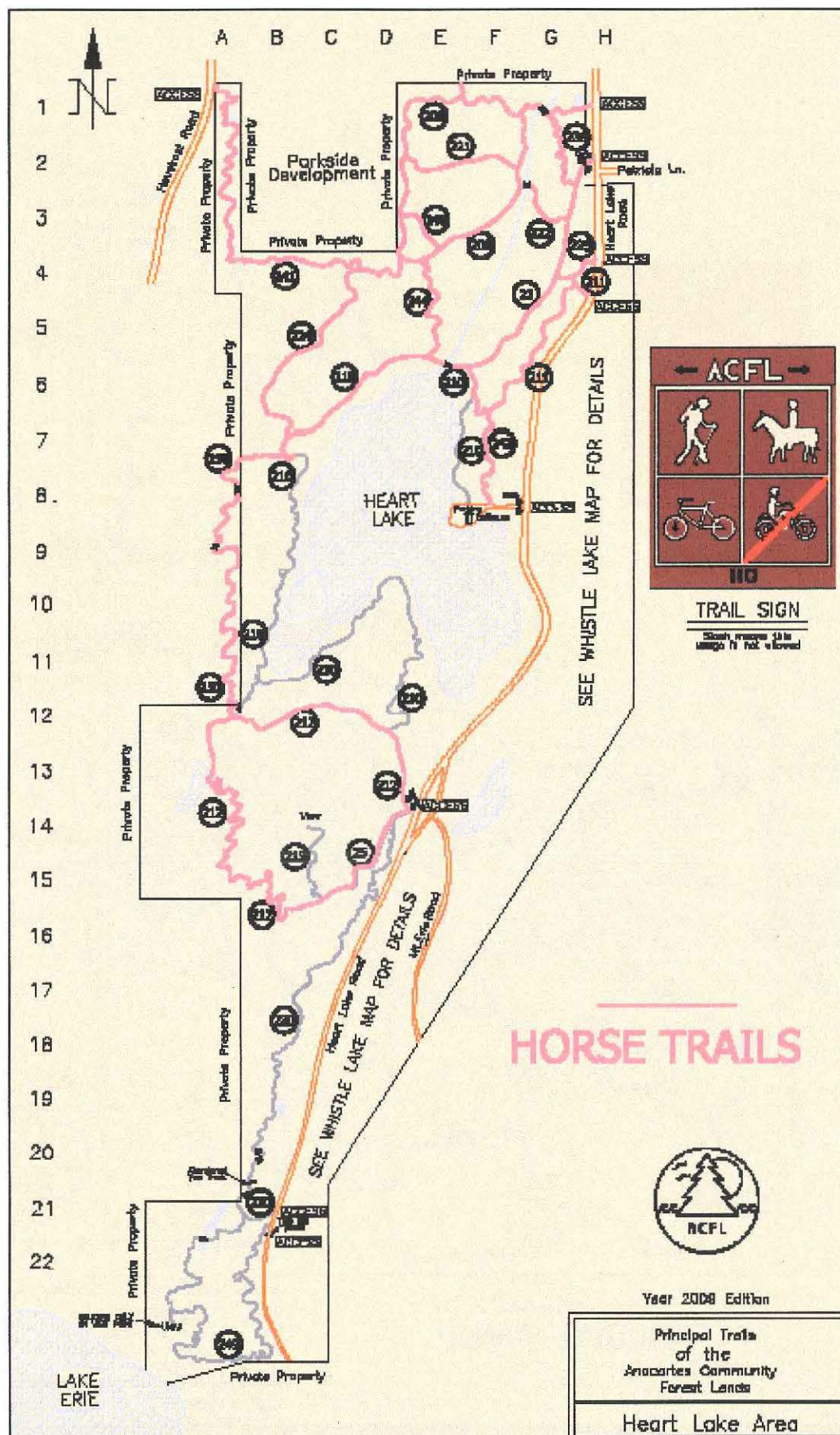
Appendix 5: Maps

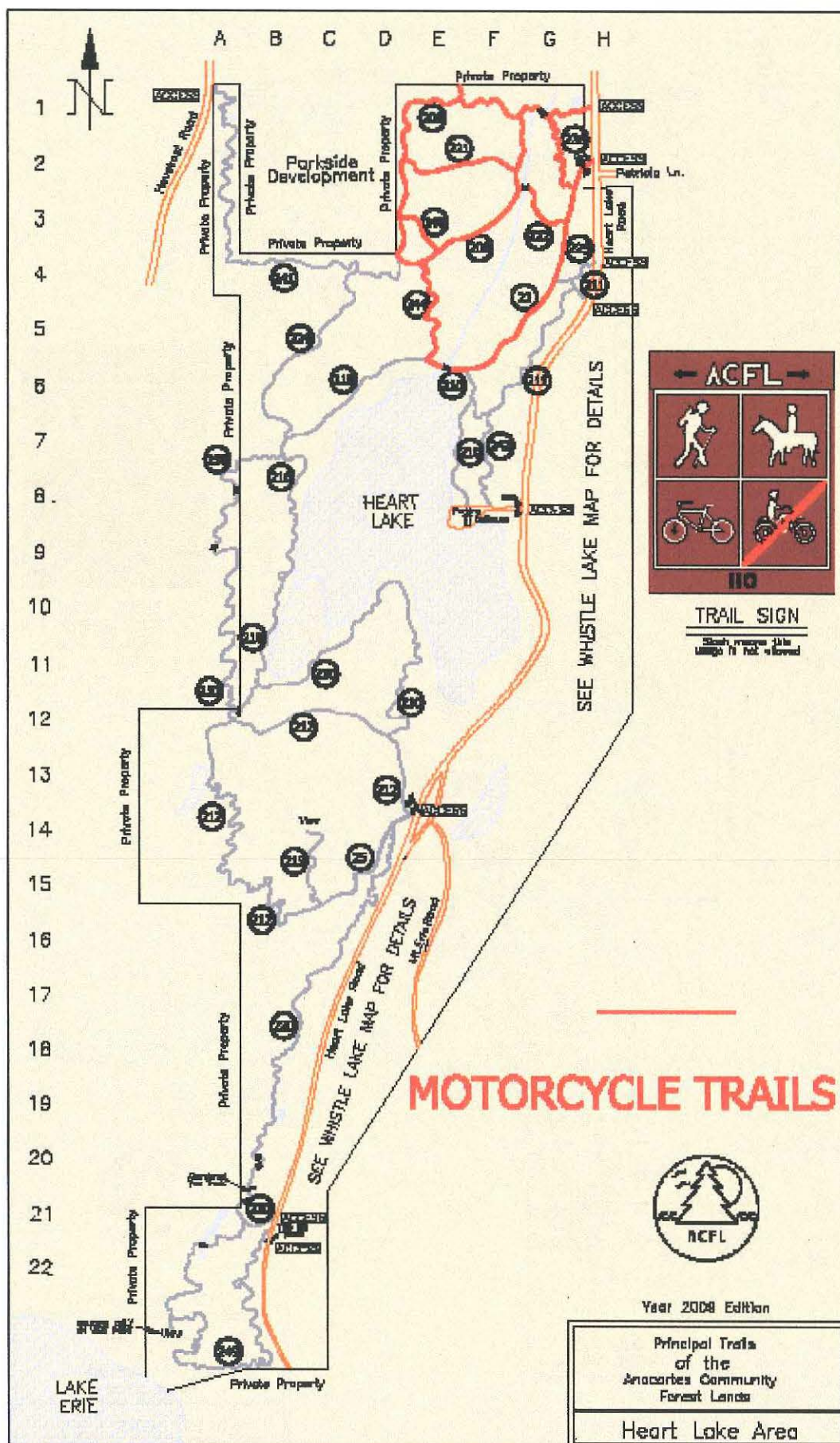


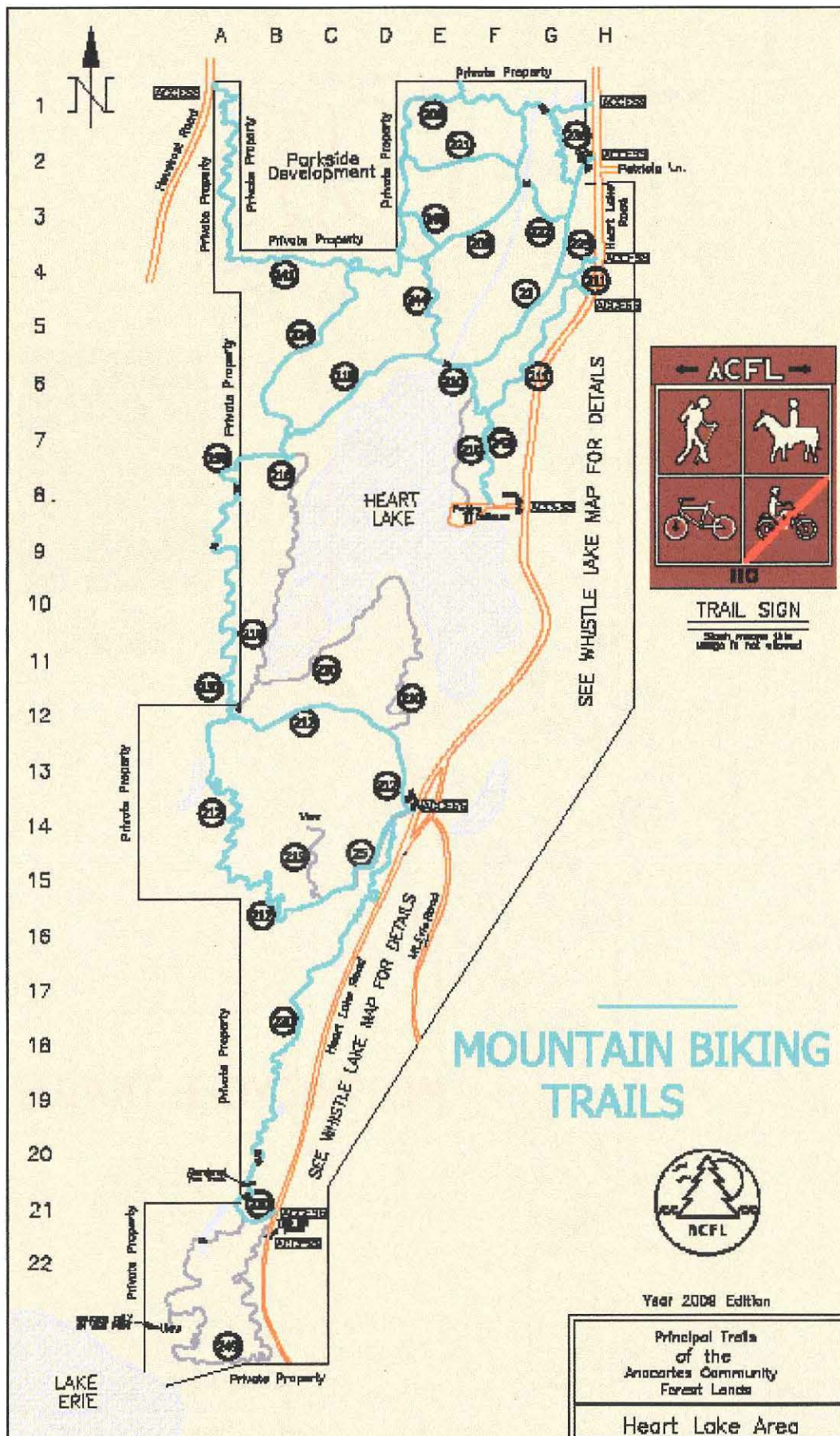


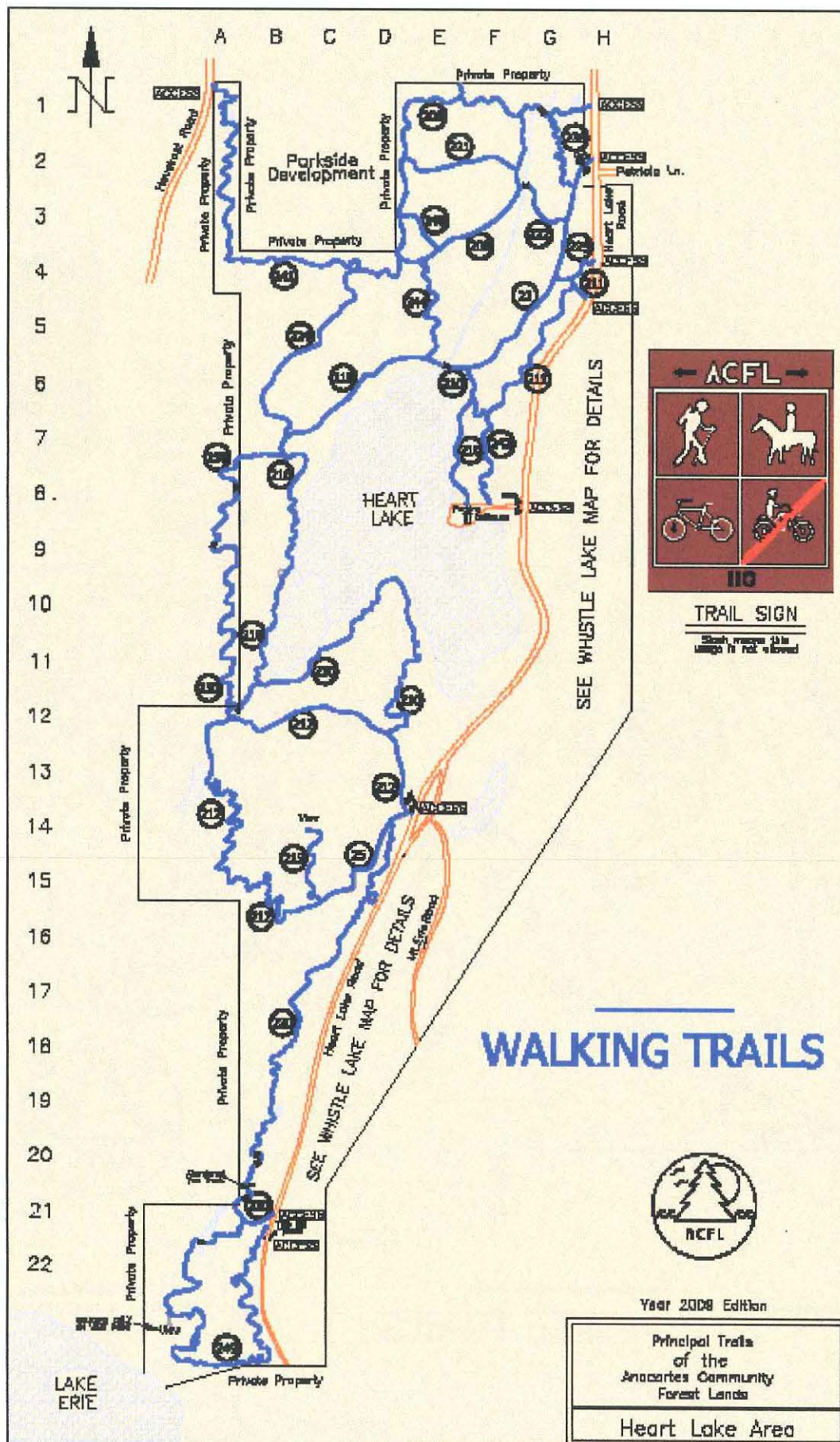


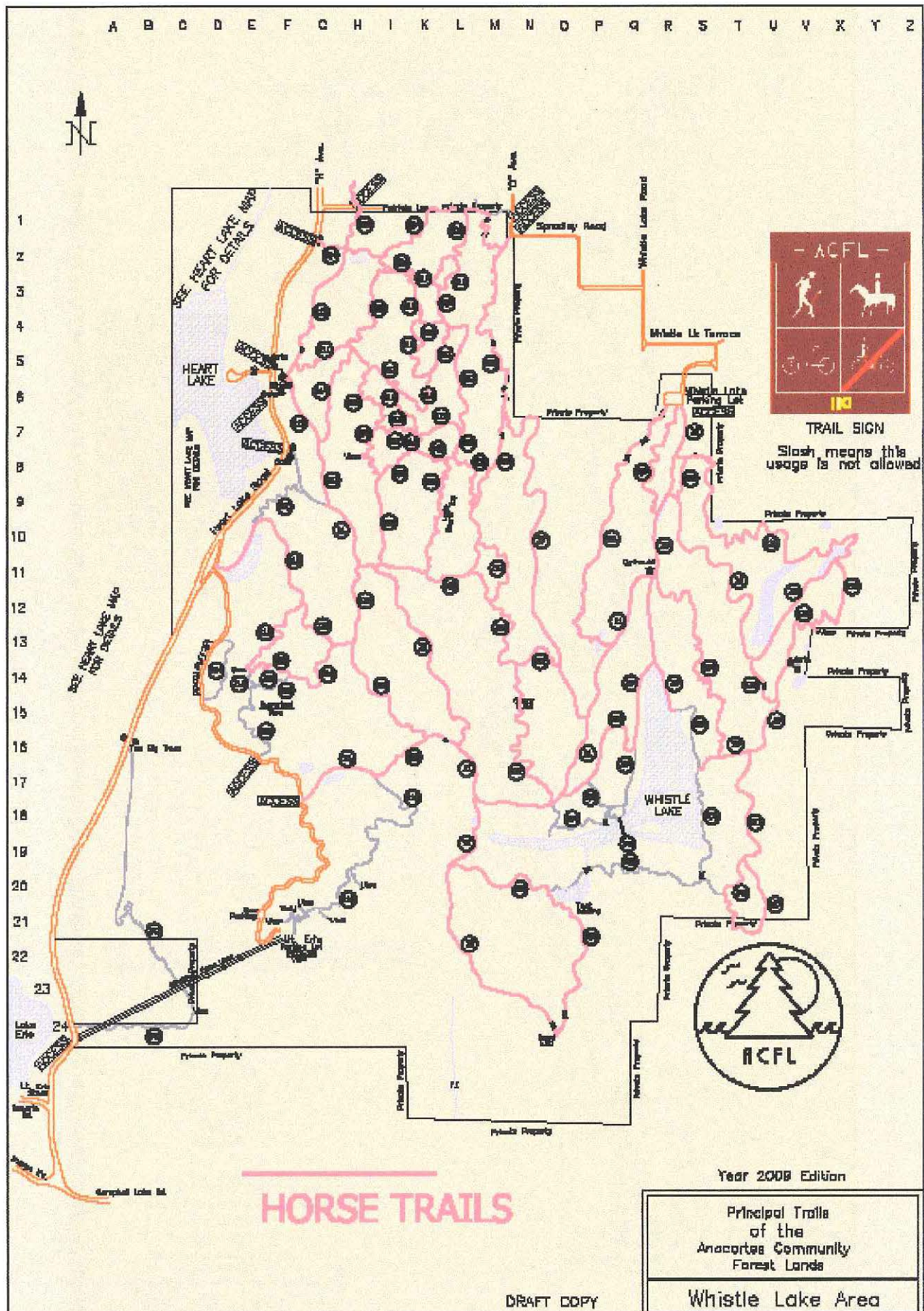


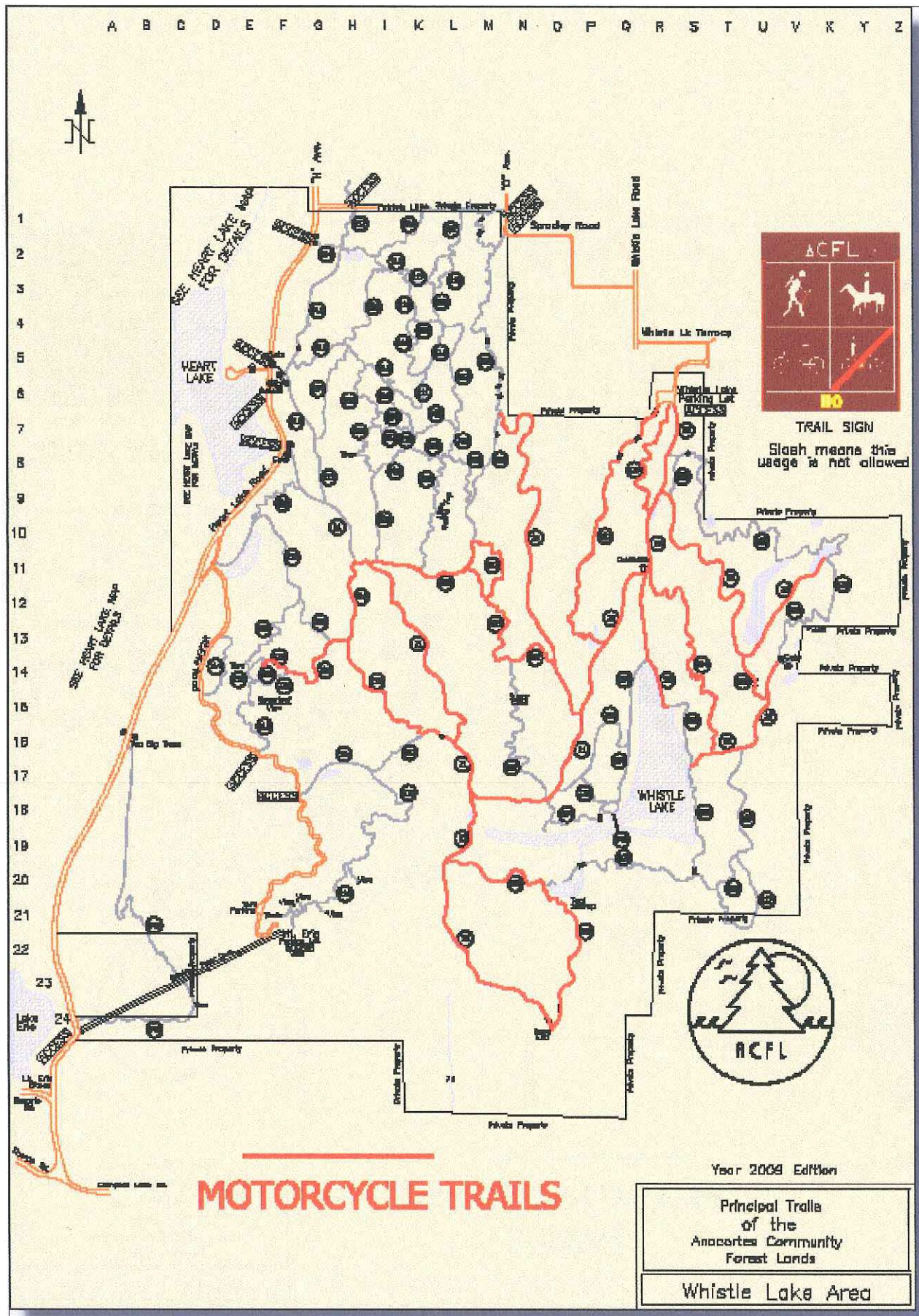


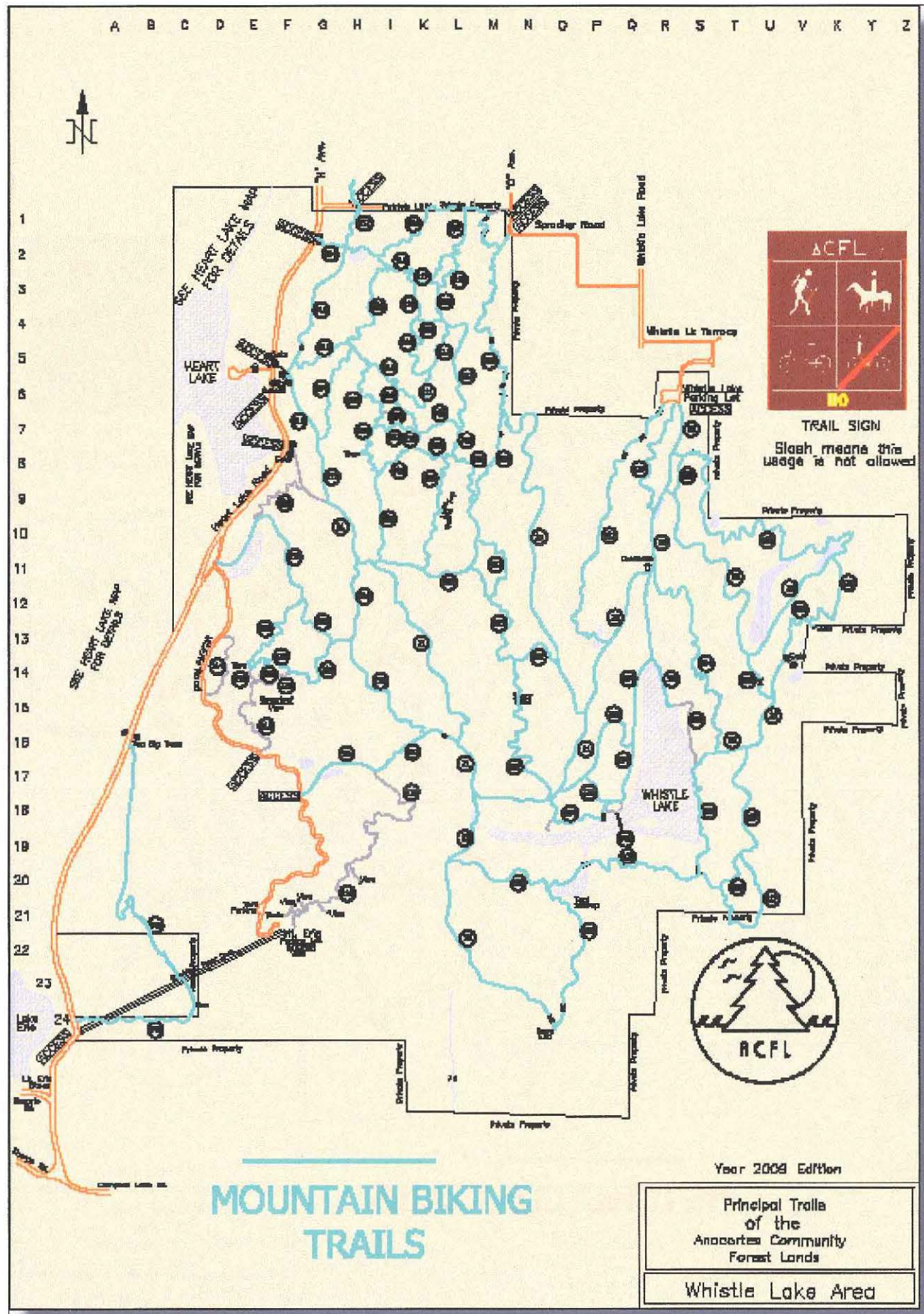


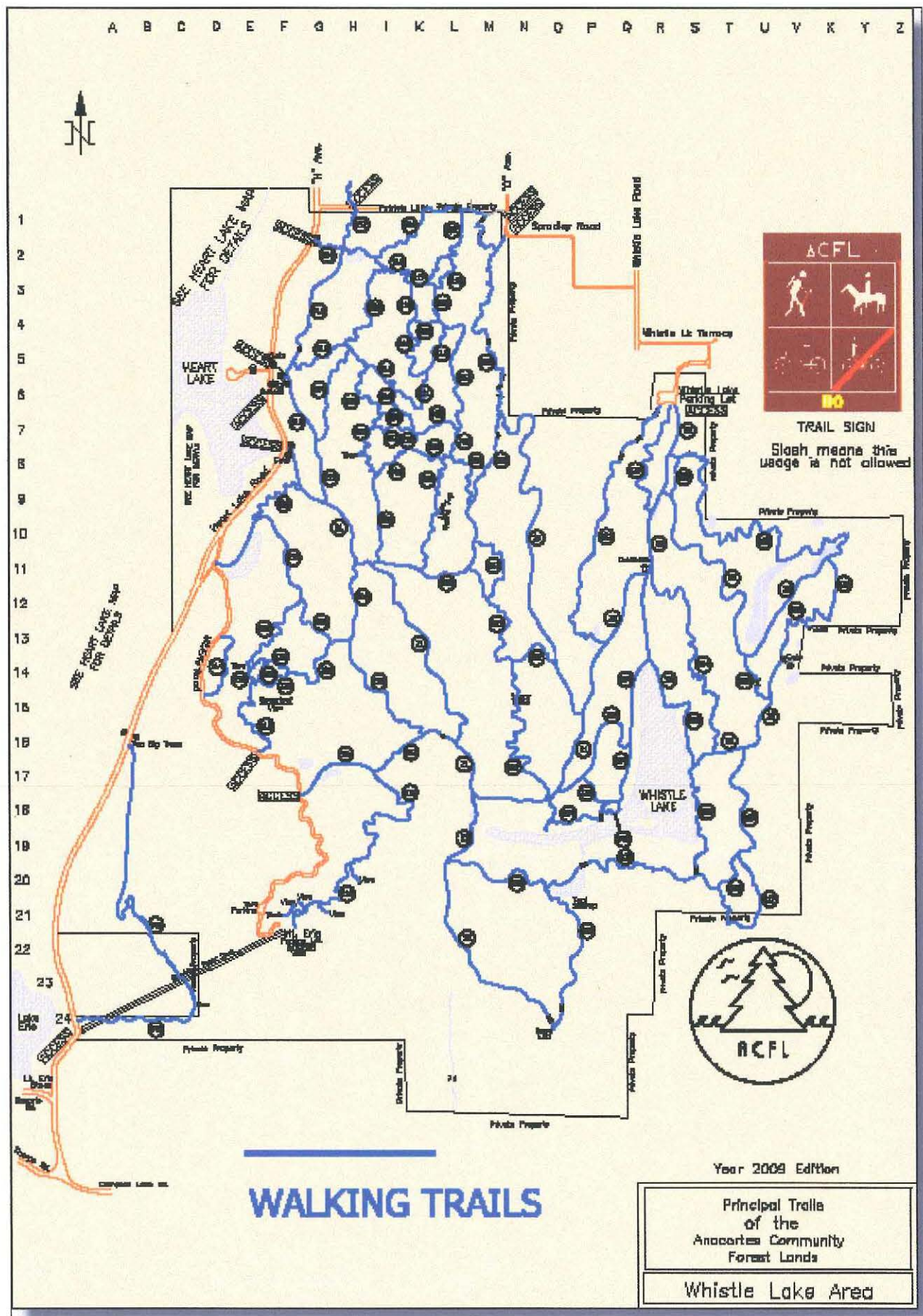














SEPA ENVIRONMENTAL CHECKLIST

A. BACKGROUND [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)

City of Anacortes Community Forest Lands Comprehensive Plan

2. Name of applicant: [\[help\]](#)

City of Anacortes

3. Address and phone number of applicant and contact person: [\[help\]](#)

Jonn Lunsford, Parks and Recreation Director

City of Anacortes

P.O. Box 547

Anacortes, WA 98221

360-299-1953

jonn1@cityofanacortes.org

4. Date checklist prepared: [\[help\]](#)

February 11, 2019

5. Agency requesting checklist: [\[help\]](#)

City of Anacortes

6. Proposed timing or schedule (including phasing, if applicable): [\[help\]](#)

Planning Commission public hearing on March 27, 2019. Adoption by ordinance expected by end of July 2019. If adopted, the proposed amendments would go into effect shortly thereafter.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [\[help\]](#)

The City updates the ACFL Comprehensive Plan at least every 10 years, with a goal of every 5 years.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [\[help\]](#)

These existing documents are relevant to the present proposal and are being adopted and used to help meet environmental review requirements pursuant to WAC 197-11-600. We expect a DNS determination to be issued on March 8, 2019.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#)

Current project activities with associated government or application approval that effect the property covered by this proposal include the 32nd street beaver deceiver project and possible bike skills course at the old "A" Avenue dump site.

10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)

City Council approval or modification of these proposed amendments (by ordinance).

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

The Anacortes Parks and Recreation Department is updating its Community Forest Lands Comprehensive Plan (the Plan). The City of Anacortes owns more than 3,000 acres of designated forest lands within the City limits. These community forest lands contain some of the most unique and complex living environments in the Puget Sound Region. In an effort to develop a plan that works to conserve and enhance the unique environment in 2013, The Anacortes Community Forest Lands (ACFL) Advisory Board began discussing the process of updating the Plan, and in 2014 began taking public comment at their regular meetings – these comments are reflected s in our draft plan.

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

The plan would apply city wide to the management of the approximately 3000 acres of Anacortes Community Forest Lands. Please see attachment A for a map of its boundaries.

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

ITEMS 1 THROUGH 16 RESPONSES ARE GENERAL IN NATURE BECAUSE THIS IS A NON-PROJECT ACTION.

1. Earth

a. General description of the site [\[help\]](#)

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

b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land

of long-term commercial significance and whether the proposal results in removing any of these soils.

[\[help\]](#)

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)

The City of Anacortes, Washington is located on the northern end of Fidalgo Island. Elevations within the City vary from sea level, to 600 feet in the southwest quadrant, and to 1,270 feet at the top of Mt. Erie. Portions of Anacortes are flat, rolling, hilly, and or contain steep slopes. Soil types vary throughout City limits. ACFL properties within the city inventory are representative of this varied terrain. Future projects may include ground disturbing activities that could temporarily increase stormwater discharge and erosion. The scope and the timing of these projects should be used as measures to limit the potential to create erosive conditions. The projects can mitigate impacts with the implementation of traditional TESC practices and BMP's.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding slopes, soils, stormwater management, and erosion.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#)

This nonproject action does not propose allowing for an increase in industrial type development that may increase emissions. Air emissions in conjunction to any proposed future maintenance and expansion construction will be De Minimis and limited to gas combustion equipment usage which should be kept minimum to limit impact.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding emissions to the air and other impacts to the air.

3. Water

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

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [\[help\]](#)
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)
- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

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

The City is bounded on three sides by 20 miles of saltwater shoreline of Burrows Bay, Rosario Strait, Guemes Channel and Fidalgo Bay. These shorelines are "shorelines of statewide significance". There are 15 named streams flowing through the city, including Happy Valley Stream, Ace of Hearts Creek, Beaver Brook, Cranberry Creek, Clyde Creek, Anaco Bourn, Morrison Run, Cedar Springs, Weaverling Rill, Miller Creek, Aqua Creek, Howard Creek, Summit Creek, and March's Run. Many of the streams have been placed in culverts, channels, or have been otherwise altered. There are three freshwater lakes within City limits, including Whistle, Heart and Cranberry Lakes, as well as a portion of the northeast shoreline of Lake Erie. Various category wetlands are found throughout the City, with major systems located within the Anacortes Forest Lands and near Ship Harbor.

All of the designated ACFL properties encompass these valuable water resources with the intent to protect and preserve shore lands, flood plains, wetlands, lakes and streams. Many of the proposed future goals of the plan include restoration and enhancement of these vital ecosystems. While any proposed future maintenance and expansion construction has the potential to increase stormwater runoff, and loose soil erosion, it is possible to mitigate these impacts through BMP's, drainage improvements, and revegetation.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding regulated critical areas, stormwater runoff, and all other potential impacts to both ground and surface water.

4. Plants [\[help\]](#)

- a. Check the types of vegetation found on the site: [\[help\]](#)
- ☐ deciduous tree: alder, maple, aspen, other
 - ☐ evergreen tree: fir, cedar, pine, other
 - ☐ shrubs
 - ☐ grass
 - ☐ pasture
 - ☐ crop or grain
 - ☐ Orchards, vineyards or other permanent crops.
 - ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 - ☐ water plants: water lily, eelgrass, milfoil, other
 - ☐ other types of vegetation
- b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)
- c. List threatened and endangered species known to be on or near the site. [\[help\]](#)
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)
- e. List all noxious weeds and invasive species known to be on or near the site.

The ACFL is approximately 3000 acres and is blanketed with native plant species. A majority of the above plants occur within the ACFL properties. No known or threaten species exist on site. The ACFL was established for the purpose of managing these forest lands and preserving the forest against damage while balancing recreational opportunities. Vegetation communities of particular protective value include scattered old growth, mature second growth forest stands, and wildflower meadows. The ACFL has over a 25 year history of working with community volunteers to remediate invasive plant species and enhance native vegetation. The proposal may allow for an increase in forest lands and recreational facilities, which could in turn increase the amount of vegetation removal to prepare for maintenance, expansion, or new construction. It is anticipated that any negative impact from these activities will be heavily outweighed by conservation and enhancement efforts within the valuable forest lands.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding plants, including minimum landscaping and open space requirements and tree preservation standards.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: [\[help\]](#)
- birds: hawk, heron, eagle, songbirds, other:
 - mammals: deer, bear, elk, beaver, other:
 - fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)
- c. Is the site part of a migration route? If so, explain. [\[help\]](#)
- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)
- e. List any invasive animal species known to be on or near the site.

All of the above animals occur within Anacortes. Anacortes is part of the migratory route known as the American Pacific Flyway. The City is home to many fish, shellfish and bird and mammal species, especially within the Anacortes Community Forest Lands and along the saltwater shorelines.

This nonproject action may result in a future increase to the City's recreational facilities inventory, which could in turn increase the amount of vegetation removal to prepare for construction, displacing common mammals. Additionally, noise created from construction machinery and equipment can have temporary impacts to surrounding wildlife, however the amount of such activity is expected to be minimal.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding animals.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [\[help\]](#)
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [\[help\]](#)
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)

No significant impacts are anticipated to energy and natural resources outside of normal development. Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding energy and natural resources.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [\[help\]](#)
 - 1) Describe any known or possible contamination at the site from present or past uses.
 - 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
 - 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
 - 4) Describe special emergency services that might be required.
 - 5) Proposed measures to reduce or control environmental health hazards, if any:

This nonproject action does not propose allowing for an increase in industrial type development that may increase risks of environmental health hazards.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding environmental health. No significant impacts are anticipated to environmental health outside of normal development.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [\[help\]](#)
- 3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

Noises typical of residential and recreational environments are currently found in the area of the City's forest lands. The intensity can range depending on the location and use of the resource such as low impact in hiker only areas to more moderate noise impact from motorcycle use and areas of dense congregation. Changes to noise levels can be expected with an anticipated increase of vehicular traffic and visitorship to the improved or expanded facilities. Noise can be controlled through hours of operation, screening, design elements, and increased police patrol.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#)
 - 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:
- c. Describe any structures on the site. [\[help\]](#)
- d. Will any structures be demolished? If so, what? [\[help\]](#)
- e. What is the current zoning classification of the site? [\[help\]](#)
- f. What is the current comprehensive plan designation of the site? [\[help\]](#)
- g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [\[help\]](#)
- i. Approximately how many people would reside or work in the completed project? [\[help\]](#)
- j. Approximately how many people would the completed project displace? [\[help\]](#)
- k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

The current land use of City properties affected by this proposal is the balance of conservation and recreational use; the majority of these properties fall under the PUBLIC zoning designation. This

nonproject action does not propose a change in use at this time. The surrounding use and zoning designation of the parks vary by location but primarily include residential, and are not expected to experience any affects by approval of the Plan. No specific development actions are planned at this time that would require actions to the existing structures or critical areas.

The ACFL has approximately 50 miles of dirt and gravel trails used recreationally by local residents. Heart Lake has a pit toilet as does Whistle Lake. Mt. Erie has a road to the summit where there is a cell tower compound leased by Puget Sound Energy. There are many critical area sites within the ACFL located in an area around wetlands, the four area lakes within or bordered by the Forest Lands.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding land use and shoreline regulations.

9. Housing

- Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)
- Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)
- Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)

No significant impacts are anticipated to housing.

10. Aesthetics

- What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)
- What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)
- Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

The Plan if approved will preserve existing open space and the natural character of public lands, as well as protect the scenic viewshed of Fidalgo Island.

11. Light and glare

- What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)
- Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)
- What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)
- Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

The Plan if approved will preserve existing open space and the rural character within these public lands, no impacts to lighting or glare are anticipated.

12. Recreation

- What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)
- Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

The City has over 3000 acres of designated Community Forest Lands, which amounts to over 50% of the city's total land area.

Though this action the City is working with community to develop appropriate balance between conservation and recreation programs and facilities to include in our comprehensive plan.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding recreation.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [\[help\]](#)
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

While the forest lands do not have any significant historic buildings or structures the area remains of significant historic and cultural value. These properties are protected through multiple layers of protection including deed restrictions and Conservation Easements.

***Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding land use and shoreline regulations.
cultural preservation.***

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

As a result of this Comprehensive Plan Revision, the City found a need for increased recreation facilities within the ACFL based on both current public input and projected population growth; these facilities would potentially increase traffic on public roads and the need for improved public access, parking, and non-motorized trails. Alternative methods of transportation can be incorporated into the planning and project design of future facilities to include non-motorized foot paths and bicycle lanes, as well as greater access by public transit.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)
- b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

No significant impacts are anticipated to public services.

16. Utilities

- a. Circle utilities currently available at the site: [\[help\]](#)
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

This non-project action may result in a future increase to the City's forest lands and recreational facilities inventory, which could in turn increase the amount of need for utility support for these facilities.

Any future development that is proposed will be consistent with the City's development regulations and will be required to comply with City, State, and Federal requirements regarding utilities.

C. SIGNATURE [\[HELP\]](#)

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

Signature: 

Name of signee: Jonn Lunsford

TO BE COMPLETED BY APPLICANT

EVALUATION FOR
AGENCY USE ONLY

Position and Agency/Organization: Parks & Recreation Director, City Of Anacortes

Date Submitted: February 11, 2019

D. Supplemental sheet for nonproject actions [\[help\]](#)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The plan allows for the continued recreational use of the ACFL. The majority of use in the forest lands is non-motorized and not expected to increase emissions. A secondary effect of the use of forest lands includes the increased travel to and from the sites may be by motor vehicle which could potentially increase air emissions, storm water runoff and contaminants. Bike paths to the forest lands and bike parking at trail heads could help alleviate these issues.

..

Proposed measures to avoid or reduce such increases are:

Continue to encourage our users to use non-motorized means to access the ACFL when possible. Comprehensive planning can help us foresee these impacts, project design elements can provide alternative transportation methods such as pedestrian and non-motorized access to major trail heads, as well as possible service by public transit.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The plan seeks to enrich and where possible expand the ACFL, which in turn will have a positive effect on native flora and fauna. However, future growth and expansion of these recreational assets may have an impact through maintenance and expansion development activities.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Much of the ACFL is either protected by conservation easements, City ordinance, critical areas and goal of this plan is conservation with recreation. Extensive efforts have been undertaken to remediate invasive species and enhance native vegetative communities and vital habitats. Overall we believe the future impact of expansion and development will be offset by proper stewardship of public lands and the restoration and enhancement of natural environments within.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is not likely to significantly increase impacts to energy usage and natural resources..

Proposed measures to protect or conserve energy and natural resources are:

Future development under this proposal would be able to incorporate low impact design guidelines and utilize energy saving technology. All activities will continue to be subject to existing energy codes and other city, state and federal regulations and/or additional project-level environmental review.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal is primarily for the purpose of preservation and enhancement of public forest lands, and recreational areas, therefore it is not likely to significantly increase impacts to environmentally sensitive areas. While future development and increased usage may have an impact on these areas it is expected that any impact will be offset by mitigation, enhancement, and preservation.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Future development under this proposal would continue to be subject to existing regulations protecting environmentally sensitive areas, and other city, state and federal regulations and/or additional project-level environmental review.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The ongoing management of the ACFL and this plan stress the importance of our native shorelines. Integral to our community is public beach access and boating facilities. The proposal will preserve the compatible use of our freshwater resources within the forest lands. Potential impacts would include maintenance and expansion of parking, boat access, and restroom facilities.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Future recreational use under this proposal would continue to be subject to existing city, state and federal regulations and/or additional project-level environmental review.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Significant impacts to transportation, public service and utilities are not anticipated for with any future development.

Proposed measures to reduce or respond to such demand(s) are:

Future development under this proposal would continue to be subject to existing city, state and federal regulations and/or additional project-level environmental review.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal directly implements local comprehensive plan policies and is consistent with the Growth Management Act and all other local, state and federal laws applicable. Future development under this proposal would continue to be subject to existing city, state and federal regulations and/or additional project-level environmental review.

City Of Anacortes Determination of Nonsignificance

Description of proposal: The City of Anacortes is considering updates to its Community Forest Lands Comprehensive Plan (the Plan). The Anacortes Community Forest Lands (ACFL) contain approximately 3,000 acres of some of the most unique and complex living environments in the Puget Sound Region. The Plan contains descriptions, goals, and policies for ACFL geographic management areas, forestlands stewardship, and management of recreational areas. In an effort to develop a plan that works to conserve and enhance the unique environment, the Anacortes Community Forest Lands Advisory Board began discussing the process and updating the Plan in 2014.

Proposed amendments are available for review on the city's website:

<https://www.anacorteswa.gov/528/Comprehensive-Master-Plans>.

Project File #: PLN-2019-0003

Proponent: City of Anacortes

Location of Proposal: City limits of Anacortes

Lead Agency: City of Anacortes Planning, Community & Economic Development Department

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. **Comments regarding this DNS must be submitted by March 27, 2019.**

Responsible Official: Don Measamer

Position and Title: Director of Planning, Community & Economic Development

Phone/Email: 360-299-1942; don@CityofAnacortes.org

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



Date of issuance: March 13, 2019

Appeals of this environmental determination may be made per the procedures outlined in AMC Ch. 18.04 and Ch. 19.20. Additional information regarding the appeal process may be obtained from the City of Anacortes PCED Department, 360-299-1984.

ANACORTES

Development Regulations Update

City Council Meeting

April 22, 2019



Project Basis

1. Provide clear, user-friendly development regulations
2. Implement the goals & policies of the comprehensive plan

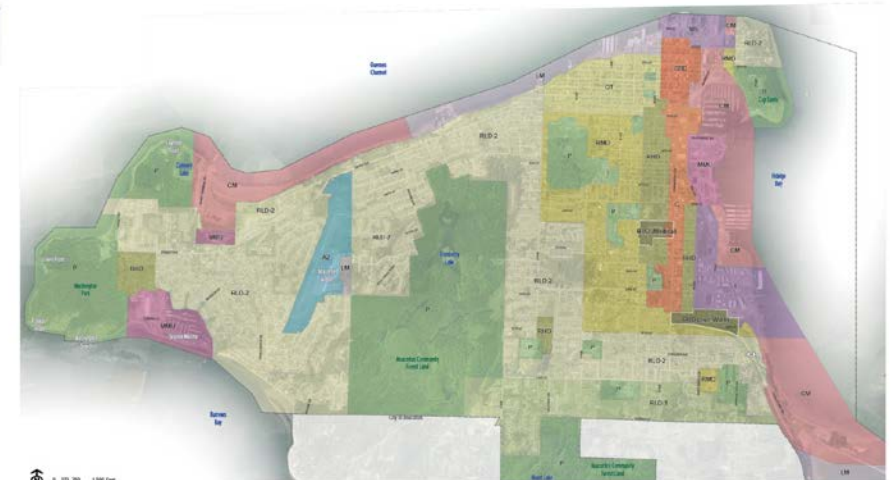
ANACORTES Comprehensive Plan 2016



July, 2016

ANACORTES
Comprehensive Plan 2016
Future Land Use Map

Land Use Designation	
CB	Central Business District
CM	Commercial
CM-1	Commercial Medium Density
CM-2	Commercial Low Density
AL	Allyport Zone
IM	Heavy Manufacturing
IL	Industrial
IM-1	Light Manufacturing
IM-2	Manufacturing/Shipping
P	Public Use
HR	Residential High Density
HR-1	Residential Medium Density
OT	Old Town
RLD-1	Residential Low Density 1
RLD-2	Residential Low Density 2
RLD-3	Residential Low Density 3
OA	Overlay Area
CL	City Land
USA	USA



0 100 200 300 Feet

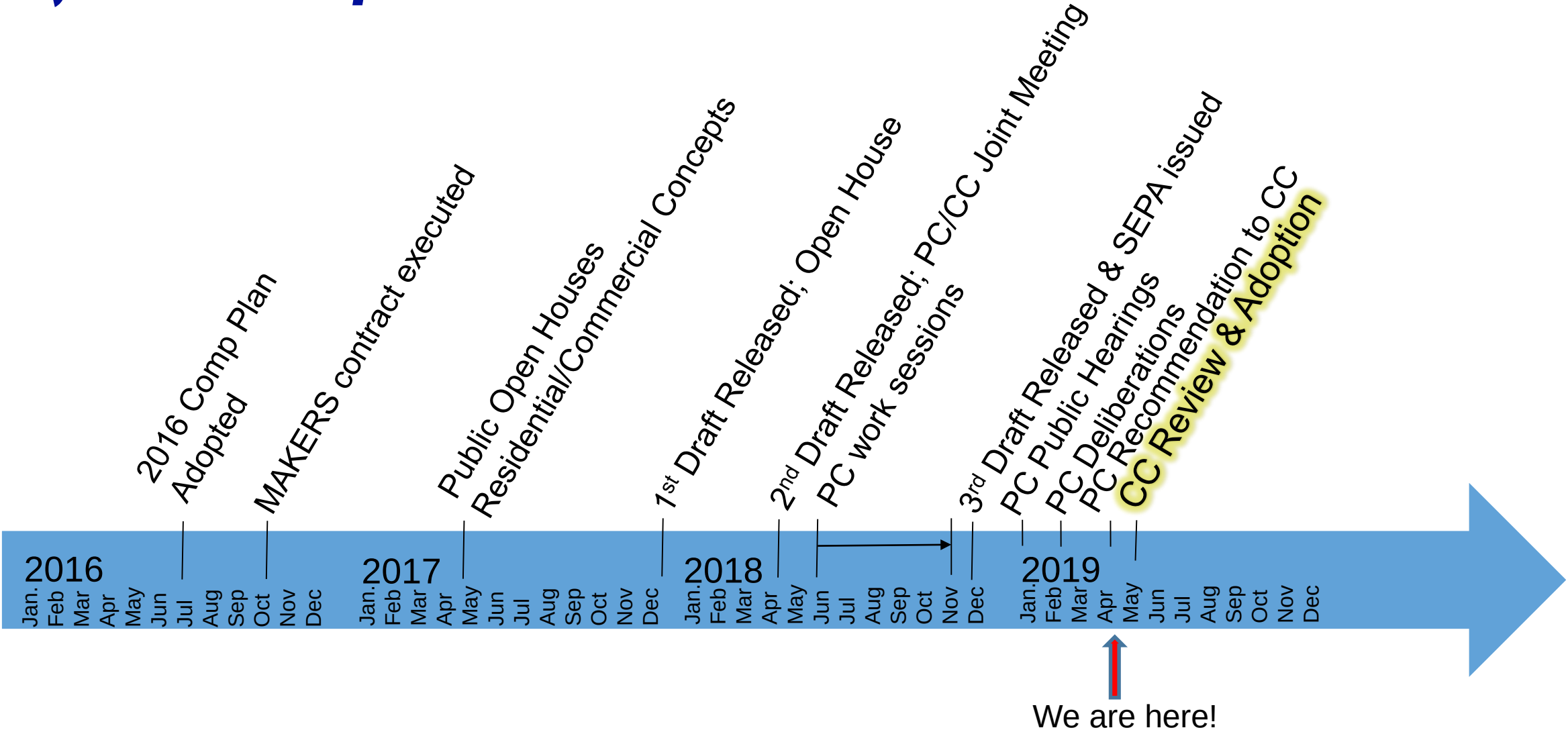
City Land
USA



MARCH POINT INSET



Project History and Schedule



City Council Review Schedule

April 22, 2019 (5 PM):	Divisions 1, 2, 3
April 29, 2019 (5 PM):	Division 4: Zoning & Land Use
May 6, 2019 (5 PM):	Division 5: Community Design; Division 6: Project Design
May 15, 2019 (5 PM):	Division 6: Project Design & Wrap Up
May 20, 2019 (5 PM):	Wrap Up & Adoption

Title 19 Update - Organization & Other User- Friendly Changes

Comprehensive Plan policies

- **Policy LU-11.2.** Adopt user-friendly and coordinated development regulations that facilitate Anacortes's preferred land use pattern (e.g., allowed density, uses, and site provisions.....)
- **Policy LU-11.2.A.** Refine the land use code on an ongoing basis to make it easier to use by employing simple language, easy to read charts, and illustrative graphics.
- **Policy ED-7.1.** Provide an efficient, clear and economical permitting process as a means of enhancing the City's goal for quality customer service.

Improved Organization and Navigation

Existing Code (Title 17)

Chapter 17.04 - GENERAL PROVISIONS - (D1)
Chapter 17.05 - CONCURRENCY - (D2)
Chapter 17.06 - DEFINITIONS - (D1)
Chapter 17.08 - ADMINISTRATION - (D1)
Chapter 17.10 - BOARD OF ADJUSTMENT, PLANNING COMMISSION, AND CONDITIONAL USES - (D1 & D3)
Chapter 17.12 - ZONES, MAPS, AND BOUNDARIES - (D4)
Chapter 17.14 - AMENDMENTS AND REZONES - (D1)
Chapter 17.15 - HEAVY MANUFACTURING USE DISTRICT (HM) - (D4)
Chapter 17.17 - MANUFACTURING AND SHIPPING DISTRICT (MS) - (D4)
Chapter 17.18 - LIGHT MANUFACTURING USE DISTRICT (LM) - (D4)
Chapter 17.19 - LIGHT MANUFACTURING 1 USE DISTRICT (LM1) - (D4)
Chapter 17.20 - CENTRAL BUSINESS USE DISTRICT (CBD) - (D4)
Chapter 17.21 - COMMERCIAL MARINE DISTRICT (CM) - (D4)
Chapter 17.22 - COMMERCIAL MARINE 1 DISTRICT (CM1) - (D4)
Chapter 17.23 - COMMERCIAL MARINE 2 DISTRICT (CM2) - (D4)
Chapter 17.24 - COMMERCIAL DISTRICT (C) - (D4)
Chapter 17.26 - PUBLIC USE DISTRICT (P) - (D4)
Chapter 17.27 - OLD TOWN OVERLAY DISTRICT - (D4)
Chapter 17.28 - RESIDENTIAL HIGH DENSITY DISTRICT (R4) - (D4)
Chapter 17.30 - RESIDENTIAL HIGH DENSITY A DISTRICT (R4A) - (D4)
Chapter 17.32 - RESIDENTIAL HIGH DENSITY B DISTRICT (R4B) - (D4)
Chapter 17.34 - RESIDENTIAL MEDIUM DENSITY DISTRICT (R3) - (D4)
Chapter 17.36 - RESIDENTIAL DISTRICT (R2) - (D4)
Chapter 17.38 - RESIDENTIAL DISTRICT (R1) - (D4)
Chapter 17.39 - AERONAUTICAL ZONE DISTRICT (AZ) - (D4)
Chapter 17.40 - SIGNS - (D6)
Chapter 17.41 - LANDSCAPING REQUIREMENTS - (D6)
Chapter 17.42 - SUBDIVISIONS AND REPLATS - (D2 and D5)
Chapter 17.44 - PLANNED UNIT DEVELOPMENT (X) AND COTTAGE HOUSING - (D6)
Chapter 17.46 - PARKING - (D6)
Chapter 17.48 - ACCESSORY BUILDINGS, STORAGE, AND DOCKS - (D4)
Chapter 17.49 - HAZARDOUS WASTE TREATMENT AND STORAGE FACILITIES - (D4)
Chapter 17.50 - EXCAVATIONS - (D4)
Chapter 17.52 - FENCES, WALLS, AND HEDGES - (D6)
Chapter 17.54 - STANDARDS - GENERALLY - (D6)
Chapter 17.56 - ANNEXATION - (D4)
Chapter 17.58 - UNZONED LAND - (D4)
Chapter 17.60 - NONCONFORMING USES - (D4)
Chapter 17.62 - PUBLIC HEARINGS - (D2)
Chapter 17.63 - WIRELESS TELECOMMUNICATIONS TOWERS AND ANTENNAS - (D4)
Chapter 17.64 - SPECIAL USES - (D4)
Chapter 17.66 - PENALTIES FOR VIOLATION - (X)
Chapter 17.67 - APPENDICES - (X)
Chapter 17.70 - CRITICAL AREA REGULATIONS - (D7)
Chapter 17.74 - DEVELOPMENT AGREEMENT FOR PORT-OWNED PROPERTY - (D8)
Chapter 17.75 - ESSENTIAL PUBLIC FACILITIES - (D4)

New UDC (Title 19)

Division 1 – General Provisions
Division 2 – Procedures
Division 3 – Permits
Division 4 – Zoning & Land Uses
Division 5 – Community Design
Division 6 – Project Design
Division 7 – Environment
Division 8 – Development Agreements

The (D#) reference and shading show what division the current chapter will be located in.

- UDC organized by regulation type, instead of by zoning district
- All dev. regs. in one location/title, w/ a consistent set of procedures & standards

Other user-friendly updates

- Clear tables to simplify and consolidate info

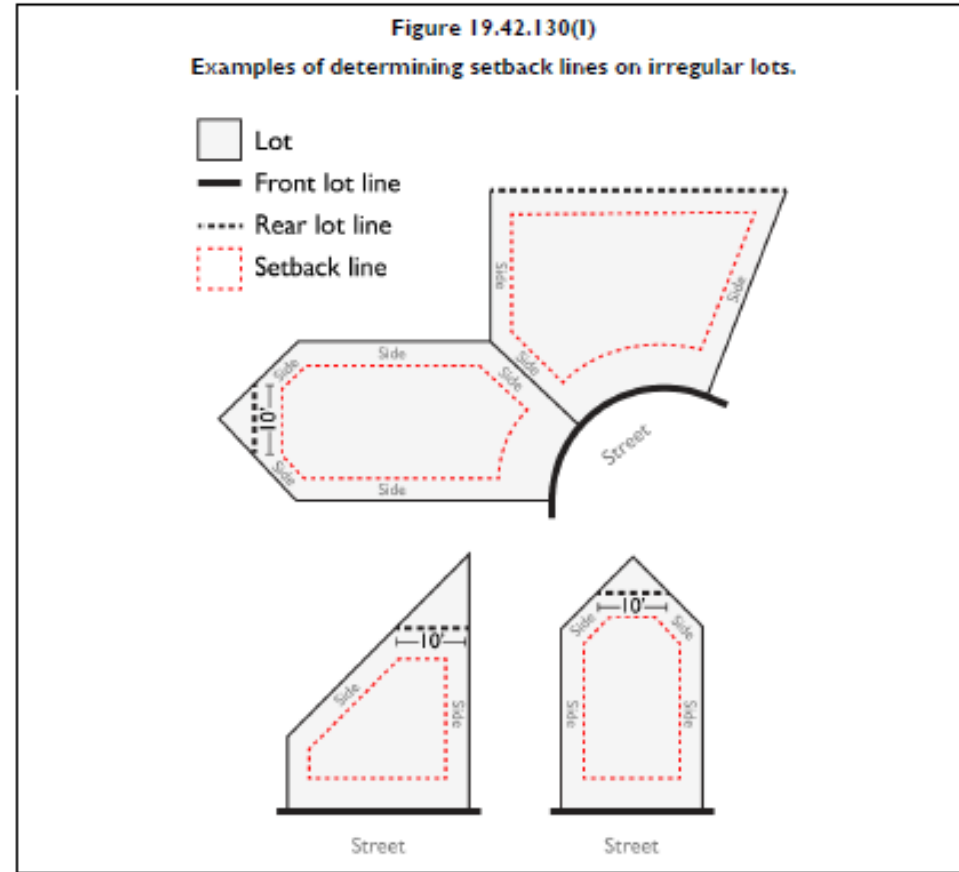
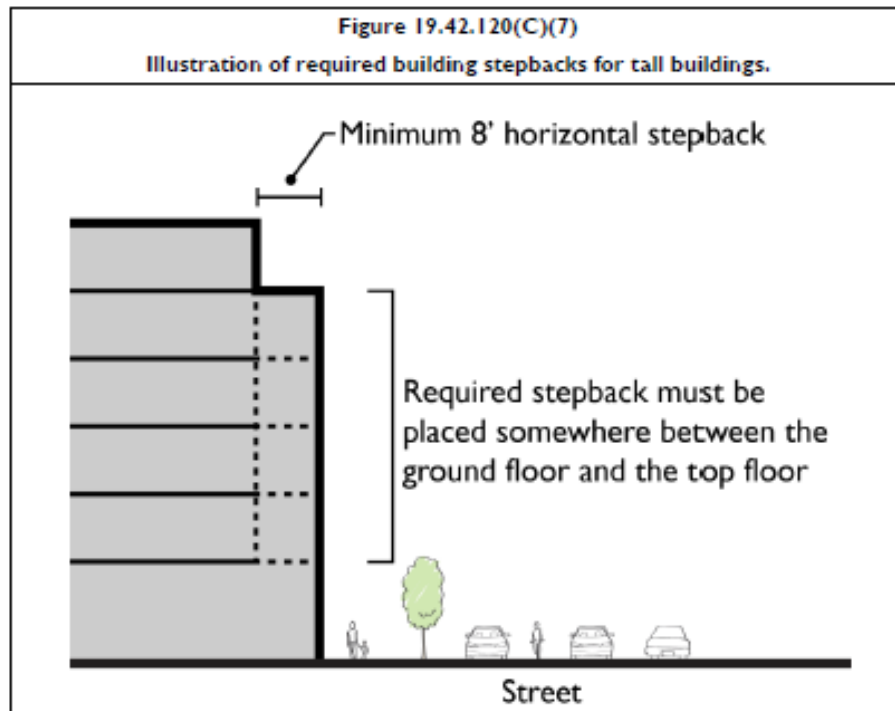
Table 19.20.030 Review classification and process matrix.					
Types of Review	Type 1 Administrative Ministerial Actions	Type 2 Administrative Decisions	Type 3-HE Hearing Examiner Decisions	Type 3-PC Planning Commission Decisions	Type 4 City Council Decisions
Types of applications	• Accessory dwelling units • Assessment of impact fees per AMC Ch. 3.93 • Boundary line adjustments • Building, mechanical & plumbing permits • Clearing & grading permits	• Administrative conditional use permits, including home occupation permits • Binding site plans, less than 10 lots • Level 1 variances • Preliminary short	• Level 2 variances • Zone boundary determination	• Any other applications identified as "conditional uses" in AMC Title 17 • Shoreline Conditional Use & Variance Permits • Shoreline Substantial Development	

Table 19.41.040 Principal uses permitted in residential zones.									
Principal Use	R1	R2	R2A	R3	R3A	R4	R4A	OT	Reference
RESIDENTIAL									
Household Living, as listed below									AMC 19.43.010
Single-family	P	P	P	P	P	P	P	P	AMC 19.43.010
Single-family, small lot				P	P	P	P		AMC 19.43.010
Cottage housing		P	P	P	P	P	P		AMC 19.43.010
Duplex		C	P	P	P	P	P	P	AMC 19.43.010
Triplex				C	P	P	P		AMC 19.43.010
Townhouse				C	P	P	P		AMC 19.43.010
Multifamily, 4 units				C	P	P	P		AMC 19.43.010 and (I)
Multifamily, 5 or more units						P	P		AMC 19.43.010 and (I)
Live-work									AMC 19.43.010
Group Living, as listed below									AMC 19.43.020
Adult family home	P	P	P	P	P	P	P	P	AMC 19.43.020

Table 19.67.060(A) Freestanding sign types and standards.				
Sign type	Location and street setback	Maximum quantity	Maximum height above existing grade	Maximum sign area
Monument sign A sign which is attached to the ground by means of a wide base of solid appearance. See AMC 19.67.080(B) for supplemental design standards.	5' minimum street setback	1 monument, pylon, or post & arm sign/ lot frontage, except: 1 such freestanding sign per 150' of lot frontage where speed limit less than 35 mph 1 such freestanding sign per 200' of lot frontage where speed limit 35 mph or greater	See Table 19.67.080(B)(4) In LM1 and HM zones within 100' of SR-20 right-of-way, maximum height is 30'	See Table 19.67.080(B)(4) In LM1 and HM zones within 100' of SR-20 right-of-way, 1 sq. ft. per linear foot of SR-20 frontage, up to a maximum of 160 sq. ft.
				
Pylon sign A sign mounted on two posts.	5' minimum street setback	1 monument, pylon, or post & arm sign/ lot frontage, except: 1 such freestanding sign per 150' of lot frontage where speed limit less than 35 mph	Monument sign standards apply per Table 19.67.080(B)(4) except pylon signs are limited to 8' in height. In LM1 and HM zones within 100' of SR-20 right-of-way, 1 sq. ft. per linear foot of SR-20 frontage, up to a	Monument sign standards apply per Table 19.67.080(B)(4) In LM1 and HM zones within 100' of SR-20 right-of-way, 1 sq. ft. per linear foot of SR-20 frontage, up to a
				

Other user-friendly updates

- Graphics to illustrate text and clarify interpretation and intent of standards



Other user-friendly updates

- Cross-references to avoid repeating standards, and avoid potential for inconsistencies during future amendments

Chapter 19.30 – SITE PLAN REVIEW

19.30.020 - Applicability.

- A. All non-subdivision development proposals will be subject to site plan review and approval except: repair, maintenance, and interior remodeling.

19.30.030 - Application requirements.

- A. An application must be submitted to the department on forms provided by the department and include applicable fees and all required information in the application submittal checklist.
- B. Site plan review applications are reviewed per AMC Chapter 19.20 Application Procedures.

Chapter 19.20 - APPLICATION PROCEDURES	36
19.20.010 - Policy.	36
19.20.020 - Applicability.....	36
19.20.030 - Types of review.....	36
19.20.040 - Consolidated review.....	38
19.20.050 - Eligibility for permits.....	39
19.20.060 - Lots of record.....	39
19.20.070 - Vesting.....	39
19.20.080 - Requirement for public notices.....	40
19.20.090 - Pre-application conference.....	41
19.20.100 - Pre-application neighborhood meeting.....	41
19.20.110 - Application-contents and completeness-revisions.....	42
19.20.120 - Application-notice.....	43
19.20.130 - Application-department review.....	44
19.20.140 - Public hearings and meetings.....	45
19.20.150 - Public hearing-notice.....	45
19.20.160 - Decision-timing.....	46
19.20.170 - Decision-notice.....	47
19.20.180 - Appeals.....	47
19.20.190 - Remand.....	49
19.20.200 - Reconsideration.....	49
19.20.210 - Exhaustion of administrative remedies.....	49

Other user-friendly updates

- Use of clear language over vague terms to clarify minimum standards
- Logical and adaptable organization to enhance readability and ease of later amendments

Table 19.41.050											
Principal uses permitted in mixed-use and industrial zones.											
Principal Use	CBD	C	MMU	CM	CM2	LM	LMI	MS	I	HM	Reference
Medical, Except as listed below and based on gross floor area (GFA):											AMC 19.44.030(A)
<10,000 GFA	P	P	P								
10,000-20,000 GFA	C	C	C								
>20,000 GFA											
Hospital		C									AMC 19.44.030(C)
Office	P	P	P	P	P ⁰⁰		P ⁰⁰	P	P ⁰⁰	P	AMC 19.44.040(A) ∞ AMC 19.44.040(B)
Overnight Lodging	P	P	P	P		C					AMC 19.44.050(A)
Parking	C	P	P	P	P	P	P	P	P	P	AMC 19.44.060(A)
Passenger terminal except as listed below	P	P	P	P	C	P					AMC 19.44.070(A)
Aeronautical use											AMC 19.41.080(A)(2)
Personal Service, except as listed below	P	P	P								AMC 19.44.080(A)
Animal care - indoor	C	P					P				AMC 19.44.080(C)

Title 19 Divisions - Tonight

1. General & Legislative Provisions
2. Procedures
3. Permits
4. Zoning & Land Uses
5. Community Design
6. Project Design
7. Environment
8. Development Agreements



TITLE 19 - UNIFIED DEVELOPMENT CODE

Planning Commission / 3rd Draft – December 18, 2018

[File name: DRAFT ADR MASTER_18-1218]

New Organization

The new code features an improved organization with eight overarching divisions. Each division contains a number of chapters, and individual sections follow after that. See page 2 for a table of contents with the chapters and sections.

1. General and legislative provisions
2. Procedures
3. Permits
4. Zoning and Land Uses
5. Community design
6. Project design
7. Environment
8. Development agreements

Tracking Content Changes since the Last Draft

Key changes made to text and graphics since the second public draft are highlighted in yellow.



City Council Agenda Bill

Meeting Date: 4/22/2019

Agenda Item: 7c

Subject: Development Regulations Update – Divisions 1-3

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 its April 15, 2019 meeting, City Council decided to proceed with review and discussion of the draft development regulation updates over the course of several meetings, generally as follows:

April 22, 2019 (5 PM) – Divisions 1-3 (possibly start Division 4, if time allows)

April 29, 2019 (5 PM) – Division 4 (possibly start Division 5, if time allows)

May 6, 2019 (5 PM) – Division 5-6

May 13, 2019 (5 PM) – Wrap up and adoption

The updated draft of the proposed development regulations incorporating the Planning Commission's recommendation with modifications will be provided prior to the 4/22/19 meeting. Staff will notify council when the updated draft is available on the [project website](#).

Background: 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: Divisions 1, 2, and 3



Planning, Community, & Economic Development Department
Don Measamer, Director

Memorandum

To: Anacortes City Council
Date: April 17, 2019
From: Development Regulations Update project team
Subject: Title 19 Unified Development Code:
Summary for Division 1 - General & Legislative Provisions; Division 2 – Procedures;
Division 3 - Permits

INTRODUCTION

The purpose of this document is to summarize key features of the overall development code reorganization, to summarize key proposed changes within Divisions 1 – 3 of Title 19, and to identify 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.

TITLE 19 – NEW ORGANIZATION AND FEATURES

The City of Anacortes has been in the process of transitioning to a Unified Development Code (UDC) format for several years. In contrast to traditional zoning and subdivision regulations which can be spread throughout multiple titles with different definitions, procedures, and rules, a UDC combines all regulations that apply to development into one location and provides a consistent set of procedures and standards. The format is intended to streamline regulations and reduce inconsistencies.

Guiding Comprehensive Plan policies include:

- **Policy LU-11.2.** Adopt user-friendly and coordinated development regulations that facilitate Anacortes's preferred land use pattern (e.g., allowed density, uses, and site provisions.....)
- **Policy LU-11.2.A.** Refine the land use code on an ongoing basis to make it easier to use by employing simple language, easy to read charts, and illustrative graphics.
- **Policy ED-7.1.** Provide an efficient, clear and economical permitting process as a means of enhancing the City's goal for quality customer service.

Title Organization

Title 19 includes the following divisions:

Division	Title	Content
1	General & Legislative Provisions	Purpose, administration, definitions & legislative actions
2	Procedures	Review procedures & approval criteria; concurrency
3	Permits	Review procedures & approval criteria for land divisions, boundary line adjustments, conditional use permits & variances
4	Zoning & Land Uses	Introduces zones, allowed uses, form & intensity standards, and use definitions & standards
5	Community Design	Includes standards related to public and larger scale community design issues such as streets & access and subdivision design & block structure
6	Project Design	Includes standards to apply to the design of individual developments, including development frontages, site planning, building design, parking, landscaping, fences & signs
7	Environment	Includes standards for stormwater & grading. <i>Updated standards for critical areas and shorelines will be integrated after completion of those update processes (2019-2020).</i>
8	Development Agreements	City/Port of Anacortes development agreement

These are broad enough that future UDC amendments should easily be able to fit within one of eight divisions (without having to add another division at the end).

The chart below compares the long list of Title 17 chapters on the left and the UDC's simplified division organization on the right. For each existing chapter, there's a reference to what division (D#) the relevant content of the particular chapter is addressed in the UDC. Chapters with an (X) after the name refer to sections that will be deleted in the UDC because they are addressed in other titles or no longer necessary.

Existing Code (Title 17)

Chapter 17.04 - GENERAL PROVISIONS - (D1)
Chapter 17.05 - CONCURRENCY - (D2)
Chapter 17.06 - DEFINITIONS - (D1)
Chapter 17.08 - ADMINISTRATION - (D1)
Chapter 17.10 - BOARD OF ADJUSTMENT, PLANNING COMMISSION, AND CONDITIONAL USES - (D1 & D3)
Chapter 17.12 - ZONES, MAPS, AND BOUNDARIES - (D4)
Chapter 17.14 - AMENDMENTS AND REZONES - (D1)
Chapter 17.15 - HEAVY MANUFACTURING USE DISTRICT (HM) - (D4)
Chapter 17.17 - MANUFACTURING AND SHIPPING DISTRICT (MS) - (D4)
Chapter 17.18 - LIGHT MANUFACTURING USE DISTRICT (LM) - (D4)
Chapter 17.19 - LIGHT MANUFACTURING 1 USE DISTRICT (LM1) - (D4)
Chapter 17.20 - CENTRAL BUSINESS USE DISTRICT (CBD) - (D4)
Chapter 17.21 - COMMERCIAL MARINE DISTRICT (CM) - (D4)
Chapter 17.22 - COMMERCIAL MARINE 1 DISTRICT (CM1) - (D4)
Chapter 17.23 - COMMERCIAL MARINE 2 DISTRICT (CM2) - (D4)
Chapter 17.24 - COMMERCIAL DISTRICT (C) - (D4)
Chapter 17.26 - PUBLIC USE DISTRICT (P) - (D4)
Chapter 17.27 - OLD TOWN OVERLAY DISTRICT - (D4)
Chapter 17.28 - RESIDENTIAL HIGH DENSITY DISTRICT (R4) - (D4)
Chapter 17.30 - RESIDENTIAL HIGH DENSITY A DISTRICT (R4A) - (D4)
Chapter 17.32 - RESIDENTIAL HIGH DENSITY B DISTRICT (R4B) - (D4)
Chapter 17.34 - RESIDENTIAL MEDIUM DENSITY DISTRICT (R3) - (D4)
Chapter 17.36 - RESIDENTIAL DISTRICT (R2) - (D4)
Chapter 17.38 - RESIDENTIAL DISTRICT (R1) - (D4)
Chapter 17.39 - AERONAUTICAL ZONE DISTRICT (AZ) - (D4)
Chapter 17.40 - SIGNS - (D6)
Chapter 17.41 - LANDSCAPING REQUIREMENTS - (D6)
Chapter 17.42 - SUBDIVISIONS AND REPLATS - (D2 and D5)
Chapter 17.44 - PLANNED UNIT DEVELOPMENT (x) AND COTTAGE HOUSING - (D6)
Chapter 17.46 - PARKING - (D6)
Chapter 17.48 - ACCESSORY BUILDINGS, STORAGE, AND DOCKS - (D4)
Chapter 17.49 - HAZARDOUS WASTE TREATMENT AND STORAGE FACILITIES - (D4)
Chapter 17.50 - EXCAVATIONS - (D4)
Chapter 17.52 - FENCES, WALLS, AND HEDGES - (D6)
Chapter 17.54 - STANDARDS - GENERALLY - (D6)
Chapter 17.56 - ANNEXATION - (D4)
Chapter 17.58 - UNZONED LAND - (D4)
Chapter 17.60 - NONCONFORMING USES - (D4)
Chapter 17.62 - PUBLIC HEARINGS - (D2)
Chapter 17.63 - WIRELESS TELECOMMUNICATIONS TOWERS AND ANTENNAS - (D4)
Chapter 17.64 - SPECIAL USES - (D4)
Chapter 17.66 - PENALTIES FOR VIOLATION - (X)
Chapter 17.67 - APPENDICES - (X)
Chapter 17.70 - CRITICAL AREA REGULATIONS - (D7)
Chapter 17.74 - DEVELOPMENT AGREEMENT FOR PORT-OWNED PROPERTY - (D8)
Chapter 17.75 - ESSENTIAL PUBLIC FACILITIES - (D4)

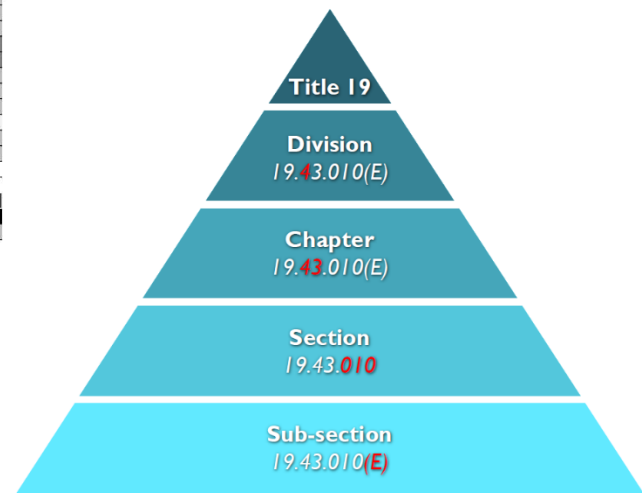
New UDC (Title 19)

Division 1 – General Provisions
Division 2 – Procedures
Division 3 – Permits
Division 4 – Zoning & Land Uses
Division 5 – Community Design
Division 6 – Project Design
Division 7 – Environment
Division 8 – Development Agreements

The (D#) reference and shading show what division the current chapter will be located in.

Updated Code Hierarchy

The pyramid to the right identifies the updated hierarchy of the reorganized code starting with Title, and then Division, Chapter, Section, and lastly, sub-section.



Other User-Friendly Changes

- Clear tables to simplify and consolidate information
- Graphics to illustrate the text language and clarify the interpretation and intent of standards
- Cross references to avoid repeating standards and minimizing the potential for inconsistencies during future amendments
- Use of clear language over vague terms to clarify minimum standards
- Logical and adaptable organization to enhance readability and ease of later amendments

DIVISION OVERVIEW – KEY UPDATES & POLICY LINKS

Division 1 – General and Legislative Provisions

Division 1 contains general provisions for administration of Title 19, definitions, interpretations, adopted international codes and local amendments, and procedures for legislative actions. The majority of Division 1 was adopted in 2016 (Ord. 2992) and has been effective since January 1, 2017. As part of this update, the only chapter within this Division receiving major updates is AMC Ch. 19.12 Definitions and Interpretation.

Below is a summary of the key proposed updates to each Division 1 chapter:

19.10 General Provisions

AMC 19.10 General Provisions contains general purpose, applicability, fees and other provisions relating to the overall administration of Title 19. No changes are proposed to this Chapter.

19.12 Definitions and Interpretations

AMC 19.12 Definitions and Interpretations contains terms and definitions that are used throughout Title 19, and provisions for administrative interpretations. The existing definitions in AMC Title 16 and 17 are updated and integrated into Ch. 19.12. New terms and definitions have been added to help clarify the standards contained in the use, form and intensity, community design, and project design provisions. Sign and use terms are listed in Ch. 19.12 with references to where the terms are defined in later Divisions.

19.14 International Codes

AMC 19.14 International Codes provides for adoption of various building and fire codes, fees, and penalties for violation. No changes currently proposed.

19.16 Legislative Actions

AMC 19.16 provides the procedures for application and review procedures for legislative actions, including comprehensive plan and development regulation amendments. Only minor updates to grammar, sentence structure and mechanics are proposed.

Division 2 - Procedures

Division 2 contains land use permit application procedures, including the type of review, decision and appeal process for each permit type. It also includes permit revision and expiration provisions, and concurrency review provisions. Most of the elements within Division 2 were adopted with Ordinance 2992 and have been in effect since January 2017.

Below is a summary of the contents and proposed updates of each chapter:

19.20 Application Procedures

Ch. 19.20 Application Procedures establishes standard procedures for review of development permit applications and appeals. The primary updates to this chapter are in Table 19.20.030, Review classification and process matrix. New permit/decision types (site plan review, signs, fences, zone boundary determination, framework development plan) and been added, the review type has been changed for some permit types (BLAs), and some permit types (Wireless Telecommunication uses, etc.) have been removed. New provisions have been added for Departures and Framework Development Plans to implement key guiding Comprehensive Plan policies including:

- **Policy LU2.1.E.** Integrate opportunities for flexibility in the design guidelines by allowing multiple ways of achieving standards and allowing strategic design departures provided the project meets the design intent.
- **Policy ED-7.2.** Craft land use and development regulations that offer a balance of predictability and flexibility.

19.22 Concurrency

Ch. 19.22 integrates and updates existing AMC 17.05 Concurrency into Title 19. The primary change to these provisions was to reference the level of service standards adopted in the Comprehensive Plan, instead of listing them in this chapter. Additionally, accessory dwelling units were added to the exempt permit types.

19.24 Public Improvements

Ch. 19.24 Public Improvements will be repealed and replaced by provisions in Division 5, Community Design.

19.28 Permit Revision and Expiration

AMC 19.28 Permit Revision and Expiration contains procedures and criteria for revisions to permits, permit approval timeframes, and permit expiration timeframes and extensions. New permit types, such as fence and sign permits, have been added to Table 19.28.020, Permit terms and extensions.

Division 3 – Permits

Division 3 contains purpose, applicability, and review criteria for different permit types, including site plan review, land divisions, boundary line adjustments, conditional uses, and variances.

Below is a summary of the contents and proposed updates of each chapter:

19.30 Site Plan Review

Ch. 19.30 Site Plan review is a completely new chapter that provides purpose, applicability, submittal requirements, and review criteria for multifamily and commercial site plans.

19.32 Land Divisions

Ch. 19.32 Land Divisions integrates and updates existing subdivision provisions from AMC Title 16 Subdivisions into Title 19. The updated provisions consolidate purpose statements, have updated review criteria to link between required subdivision approval criteria in the statute with the development regulations in the AMC that address each of the criteria, combine and update preliminary and final plat submittal requirements, and provide updated final plat review procedures.

Additionally, a new “unit lot subdivision” option is provided for duplex, triplex, cottage and townhouse units to be subdivided into individual fee simple lots as long as the development as a whole meets the site development standards otherwise applicable to the type of development. In the past, townhouse and cottage developments were typically developed through a condominium plat process but construction defect litigation concerns have made that option unattractive to developers more recently.

Key guiding Comprehensive Plan policies include:

- **Policy H-1.8.** Provide for flexibility in subdivision development in order to promote environmental protection, encourage infill development, enhance neighborhood character, employ low impact development techniques, and other similar goals.
- **Policy H-3.4.** Support both rental and ownership forms of affordable housing in a variety of types and sizes.

19.34 Boundary Line Adjustments

Ch. 19.34 Boundary Line Adjustment updates the existing provisions for BLAs by adding new review criteria. The new criteria clarify that a BLA could not be used where a change in lot access or general orientation would occur, or where the creation of new streets, dedication of ROW or new access easements would be required to access lots. Instead, a subdivision process would be required in these circumstances. Final BLA approval and recording requirements are also updated.

19.36 Conditional Uses

AMC 19.36 Conditional Uses outlines applicability, application requirements, review criteria and conditions that are authorized to ensure compatibility with conditional use criteria. Only minor updates to grammar, sentence structure and mechanics are proposed.

19.38 Variances

AMC 19.38 Variances contains applicability, levels of variances, and review criteria for variance applications. Only minor updates to grammar, sentence structure and mechanics are proposed.

Hunt, Marcia

From: Grage, Libby
Sent: Friday, April 19, 2019 11:20 AM
To: City Council
Cc: Hunt, Marcia; Gere, Laurie; Measamer, Don; Swetnam, Darcy
Subject: City Council Draft - Development Regulations Update

Councilmembers,

The updated draft of the development regulations is now available on the [project website](#). You can also download the .pdf directly [here](#). The "City Council Draft, April 18, 2019" integrates the Planning Commission's recommendations and **highlights in yellow** changes made since the 3rd Draft.

Please let me know if you have any questions or difficulty accessing the document, or if you would like a hard copy printed before Monday night.

Thank you,

Libby Grage | City of Anacortes
Planning, Community & Economic Development Department
Planning Manager
P.O. Box 547 | 904 6th Street | Anacortes, WA 98221
360.299.1986 (work) | libbyb@cityofanacortes.org | www.cityofanacortes.org

My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.



TITLE 19 - UNIFIED DEVELOPMENT CODE

City Council Draft – April 18, 2019

[File name: DRAFT ADR MASTER_19-0418]

New Organization

The new code features an improved organization with eight overarching divisions. Each division contains a number of chapters, and individual sections follow after that. See page 2 for a table of contents with the chapters and sections.

1. General and legislative provisions
2. Procedures
3. Permits
4. Zoning and Land Uses
5. Community design
6. Project design
7. Environment
8. Development agreements

Tracking Content Changes

Recommended changes since the Planning Commission-recommended / 3rd draft are highlighted in yellow.

TABLE OF CONTENTS

Division 1 - General and Legislative Provisions.....	5
Chapter 19.10 - GENERAL PROVISIONS	7
Chapter 19.12 - DEFINITIONS & INTERPRETATION	9
Chapter 19.14 - INTERNATIONAL CODES.....	26
Chapter 19.16 - LEGISLATIVE ACTIONS	27
Division 2 - Procedures	34
Chapter 19.20 - APPLICATION PROCEDURES	36
Chapter 19.22 - CONCURRENCY	52
Chapter 19.28 - PERMIT REVISION & EXPIRATION	55
Division 3 - Permits	57
Chapter 19.30 – SITE PLAN REVIEW	59
Chapter 19.32 - LAND DIVISIONS	61
Chapter 19.34 - BOUNDARY LINE ADJUSTMENTS	72
Chapter 19.36 - CONDITIONAL USES.....	74
Chapter 19.38 - VARIANCES.....	76
Division 4 - Zoning and Land Uses	78
Chapter 19.40 - ZONES.....	82
Chapter 19.41 - ALLOWED USES	89
Chapter 19.42 - FORM & INTENSITY STANDARDS	102
Chapter 19.43 - RESIDENTIAL USES.....	129
Chapter 19.44 - COMMERCIAL USES	152
Chapter 19.45 - INDUSTRIAL USES.....	165
Chapter 19.46 - PUBLIC, INSTITUTIONAL & OPEN SPACE USES	170
Chapter 19.47 - ACCESSORY USES & STRUCTURES	175

Chapter 19.48 - TEMPORARY USES	181
Chapter 19.49 - NONCONFORMING USES & STRUCTURES.....	184
Division 5 - Community Design.....	186
Chapter 19.50 - INTRODUCTION.....	188
Chapter 19.51 - PUBLIC STREET IMPROVEMENTS REQUIRED.....	189
Chapter 19.52 - PUBLIC STREET DESIGN.....	195
Chapter 19.53 - PRIVATE DRIVEWAYS & ACCESS	204
Chapter 19.54 - SUBDIVISION DESIGN & BLOCK STRUCTURE	209
Division 6 - Project Design.....	220
Chapter 19.60 - INTRODUCTION.....	224
Chapter 19.61 - BLOCK FRONTAGE STANDARDS.....	228
Chapter 19.62 - SITE PLANNING.....	260
Chapter 19.63 - BUILDING DESIGN	282
Chapter 19.64 - PARKING.....	302
Chapter 19.65 - LANDSCAPING.....	315
Chapter 19.66 - FENCES, WALLS & HEDGES.....	332
Chapter 19.67 - SIGNS.....	343
Chapter 19.68 - WIRELESS TELECOMMUNICATIONS TOWERS & ANTENNAS	386
Chapter 19.69 - STANDARDS, GENERALLY	387
Division 7 - Environment.....	390
Chapter 19.70 - CRITICAL AREAS	390
Chapter 19.72 - SHORELINES.....	390
Chapter 19.76 - STORMWATER.....	390
Chapter 19.78 - CLEARING & GRADING.....	390
Division 8 - Development Agreements.....	391
Chapter 19.80 - DEVELOPMENT AGREEMENTS	391

Chapter 19.82 - DEVELOPMENT AGREEMENT WITH PORT..... 391

DIVISION I - GENERAL AND LEGISLATIVE PROVISIONS

Division I - General and Legislative Provisions..... 5

Chapter 19.10 - GENERAL PROVISIONS 7

19.10.010 - Purpose..... 7

19.10.020 - Applicability..... 7

19.10.030 - Administration..... 7

19.10.040 - Fees and costs. 7

19.10.070 - No special duty created..... 7

19.10.080 - Savings. 7

19.10.090 - Severability..... 8

Chapter 19.12 - DEFINITIONS & INTERPRETATION 9

19.12.020 - Definitions. 9

19.12.040 - Rules of interpretation. 24

19.12.060 - Supremacy..... 25

19.12.080 - Administrative interpretation..... 25

Chapter 19.14 - INTERNATIONAL CODES..... 26

Chapter 19.16 - LEGISLATIVE ACTIONS 27

19.16.010 - Purpose..... 27

19.16.020 - Applicability..... 27

19.16.030 - General requirements. 27

19.16.040 - Petitions. 28

19.16.050 - Docketing. 29

19.16.060 - Environmental review of docket..... 30

19.16.070 - Public notices..... 30

19.16.080 - Review by Planning Commission.31

19.16.090 - Review by City Council.....32

19.16.100 - Final disposition of annual docket.33

19.16.110 - Emergency or interim regulations.33

Chapter 19.10 - GENERAL PROVISIONS

19.10.010 - Purpose.

The purpose of this Title is to implement the Comprehensive Plan and state laws related to land use and development in a manner that is clear, concise, and understandable. It is also intended to comply with state rules for combining and expediting development review and integrating environmental review and land use development plans.

19.10.020 - Applicability.

This Title is applicable to all land and land uses within the corporate limits of the City of Anacortes, and the City's urban growth area, except as pre-empted by law or interlocal agreement. All city departments, and the City itself, are subject to this Title.

19.10.030 - Administration.

The director has the duty to administer and enforce AMC Titles 16, 17, 18, and 19.

19.10.040 - Fees and costs.

- A. The City Council may, by resolution, adopt a schedule of fees for permit applications and appeals. Per RCW 82.02.060, impact fees must be adopted by ordinance.
- B. The cost of postings, mailings, and publications must be paid for by the applicant.

19.10.070 - No special duty created.

- A. It is the purpose of this title to provide for the health, welfare, and safety of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this title.
- B. Nothing contained in this title is intended to be nor may be construed to create or form the basis for any liability on the part of the city or its officers, agents, and employees for any injury or damage resulting from the failure of any premises to abate a nuisance or to comply with the provisions of this title or be a reason or a consequence of any inspection, notice or order, in connection with the implementation or enforcement of this title, or by reason or a consequence of any inspection, notice or order, in connection with the implementation or enforcement of this title, or by reason of any action of the city related in any manner to enforcement of this title by its officers, agents or employees.

19.10.080 - Savings.

Nothing contained in this title may be construed as abating any action now pending under or by virtue of any ordinance of the city herein repealed, or as discontinuing, abating, modifying, or altering any penalty accrued or to accrue, or as affecting liability of any person, firm or corporation, or as waiving any right of the city under any ordinance or provision thereof in force at the time of passage of the ordinance codified in this title.

19.10.090 - Severability.

If any provision of this title is declared unconstitutional or invalid by any court of competent jurisdiction, it must be conclusively presumed that this title would have been enacted without the provision so held unconstitutional or invalid, and the remainder of this title must not be affected as a result of any part being held unconstitutional or invalid.

Chapter 19.12 - DEFINITIONS & INTERPRETATION

19.12.020 - Definitions.

The following definitions apply to this title, and other definitions may be found in individual chapters when applicable to that chapter:

A. A definitions.

“A-board” means a type of sign defined in AMC 19.67.030.

“Access corridor” means a vehicle circulation area in private ownership which provides access to a single flag lot.

“Accessory dwelling unit (ADU)” means a second small dwelling on the same lot as a single-family dwelling and meeting the requirements of AMC 19.47.030(C).

“Accessory structure” means a type of structure defined in AMC 19.47.020.

“Accessory use” means a use incidental and subordinate to the principal use and located on the same lot or in the same building as the principal use. See AMC Chapter 19.47 Uses & Structures for applicable standards.

“Active recreation” means a mix of uses that includes the following facilities or facility types: athletic fields, buildings or structures for active recreational activities, fitness centers, swimming pools, , community gardens, courts, children's play areas, formally developed dog play areas, and other similar structures or development, and may include related uses such as retail and concession stands related to the principal use.

“Adult concessions”. See AMC 5.35.030 for definitions pertaining to adult concession which by this reference are adopted for and applicable to AMC Title 19 to the extent used therein.

“Adult family home” means a group living use defined in AMC 19.43.020(B).

“Advertise” means to describe or draw attention to a product, service, or event in a public medium in order to promote sales or attendance.

“Alterations” means a change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the sides or increasing the height or depth, or the moving from one location to another.

“AMC” means the Anacortes Municipal Code.

“Appellant” means a person who files a complete and timely appeal of a city decision.

“Appellate body” means that officer or body prescribed by this Title as having the authority to hear the appeal of a development permit.

“Applicant” means a person seeking development or permit approval from the City.

“Articulation” means the giving of emphasis to architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces. See AMC 19.63.030 for articulation provisions.

“Articulation interval” means the measure of articulation, the distance before architectural elements repeat. See AMC 19.63.030 for articulation provisions.

“Artisan manufacturing” means a light manufacturing use defined in AMC 19.45.030(B).

“Assisted living facility” means a type of group living use defined in AMC 19.43.020(C).

B. B definitions.

“Basement” means that portion of a building below the ground floor having less than four-feet of clearance from its ceiling to the average finished grade of the building perimeter.

“Bed and breakfast establishment” means an overnight lodging use defined in AMC 19.44.050(B).

“Best management practice” (BMP) means the schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or managerial practices, that when used single or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington State.

“Binding site plan” means a drawing to scale specified by AMC Chapter 19.32 Land Divisions which: (a) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the City of Anacortes; and (c) contains provisions making any development be in conformity with the site plan.

“Bioretention BMP” means engineered facilities that store and treat stormwater by passing it through a specified soil profile, and either retain or detain the treated stormwater for flow attenuation.

“Blank wall” means a ground floor wall or portion of a ground floor wall as described in AMC 19.63.060(B) that does not include a transparent window or door.

“Block” means a parcel of land bounded on all sides by city streets, which may be divided by an alley, and generally comprised of individual building lots.

“Block frontage” refers to the area between a street and building façades and other portions of a lot close to the street property line. This includes both streetscape elements (planting strips and sidewalks), street setbacks, and building façades. See AMC Chapter 19.61 Block Frontage Standards for applicable standards.

“Boarder” means a patron of a boarding or rooming house who is provided lodging, with or without meals, for compensation.

“Boundary line adjustment” means the adjustment of a boundary line between existing lots.

“Building” means any structure used or intended for supporting or sheltering any use or occupancy.

“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.

“Building height”. See AMC 19.42.120 for building height calculations, exceptions, and modifications.

“Building site”. See “site area”.

“Burden of proof” means a party’s duty to prove an assertion or charge.

“Business or commerce” means the purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, substance, or commodity for livelihood or profit.

C. C definitions.

“Cannabis” means all parts of the plant cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. For the purpose of this chapter, “cannabis” does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. The term “cannabis” includes cannabis products and useable cannabis.

“Cannabis products” means products that contain cannabis or cannabis extracts, have a measurable THC concentration greater than three-tenths of one-percent, and are intended for human consumption or application, including, but not limited to, edible products, tinctures, and lotions. The term “cannabis products” does not include useable cannabis. The definition of “cannabis products” as a measurement of THC concentration only applies to the provisions of this chapter and must not be considered applicable to any criminal laws related to marijuana or cannabis.

“Cargo container” a type of temporary use defined in AMC 19.48.020(C).

“Carport” means a protective covering for a parking space open on two or more sides, also categorized under the term garage.

“Car-sharing provider” means a membership-based and licensed business that offers use of motor vehicles 24 hours a day and seven days a week to members who reserve vehicles in advance, and that charges members for the time and/or miles.

“Certificate of occupancy” means a permit to occupy a premises issued after inspection has verified compliance with the requirements and provisions of this title and applicable building codes.

“City” means the City of Anacortes, Washington.

“City Council” means the duly elected City Council of the City of Anacortes.

“City’s NPDES permit” means the 2013-2018 Phase II Western Washington Municipal Stormwater Permit issued by the Department of Ecology pursuant to the National Pollutant Discharge Elimination System.

“Closed record appeal” means an administrative appeal on the record to a local government body or officer, including the legislative body, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

“Commission” means Planning Commission for the purposes of this title.

“Comprehensive Plan” means the City’s Comprehensive Plan adopted pursuant to RCW Chapter 36.70A.

“Comprehensive Plan amendment” means an amendment or change to the text or maps of the Comprehensive Plan.

“Conditional use” means a use that requires a Conditional Use Permit (CUP) and that may be restricted as a condition of approval.

“Cornice” means a horizontal molding projecting along the top of a wall, building, etc. See AMC 19.63.040(D) for related standards.

“Cottage dwelling” refers to a type of household living use defined in AMC 19.43.010(D).

“Council”. See “City Council”.

D. D definitions.

“Day” means calendar day, not business day, unless otherwise specified. See AMC 1.04.070 Computation of time.

“Day care” means a commercial use defined in AMC 19.44.010.

“Decision” means the written report of findings and conclusions issued by the decision-maker.

“Decision-maker” means that officer or body prescribed by this Title as having the authority to approve, approve with conditions, or deny a permit under this Title or hear an appeal and issue a revised decision.

“Department” means the City of Anacortes Planning, Community, and Economic Development Department.

“Departure” means a provision allowing for applicants to propose alternative means of compliance with a specific standard on a voluntary basis, provided they meet the purpose of the standard. See AMC 19.20.220 for more information on departures.

“Detached building” means a building surrounded on all sides by open space and not physically connected to any other building.

“Development” means any land use, activity, or project regulated by AMC Titles 13, 16, 17, 18, 19, and 20, including but not limited to building permits, subdivisions, binding site plans, rezones, conditional use permits, shoreline permits, short plats, or variances.

“Development permit” means a permit or approval for a development, and includes project permits per RCW 36.70B.020.

“Development site” means that portion of any lot or lots that encompass all phases of a development proposal.

“Director” means the director of the Planning, Community and Economic Development Department or the director’s designee.

“Division of land” means any transaction or action, not otherwise exempt or provided for under the provisions of this title, which alters or affects the shape, size or legal description of any part of an owner’s land as defined in this section. Sale of a condominium apartment and rental or lease of a building, facility or structure which does not alter or affect the legal description of an owner’s land does not constitute a division of land.

“Drive-in or drive-through restaurant or refreshment stand” means any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages to customers in vehicles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on or off the premises.

“Duplex dwelling” refers to a type of household living use defined in AMC 19.43.010(E).

“Dwelling unit” or “dwelling” means a building or portion thereof providing complete housekeeping facilities for one family. A “dwelling unit” does not include a motel or hotel, which is separately defined.

E. E definitions.

“Effective date” means the date a final decision becomes effective.

“Effective impervious surface” means those impervious surfaces that are connected via sheet flow or discrete conveyance to a drainage system.

“Essential public facility” (EPF) means any public facility or facilities owned or operated by a unit of local or state government, public or private utility, transportation company, or any other entity that provides a public service as its primary mission, and is difficult to site. EPFs include those facilities listed in RCW 36.70A.200.

F. F definitions.

“Façade” means the entire street wall face of a building extending from the grade of the building to the top of the parapet or eaves and the entire width of the building elevation.

“Family” means:

1. One person or two or more related persons living together.
2. No more than five unrelated persons living together as a single nonprofit housekeeping unit.
3. Unrelated persons living together in a state licensed adult family home pursuant to RCW 70.127.010, with the provider’s family counting as up to six persons not related to the providers living with them as one housekeeping unit for profit.
4. In a single-family dwelling, one roomer or boarder is permitted in addition to the family.

“Fence” means a structure which is built, constructed, or composed of parts joined together of material in some definite manner, in which the prime purpose is to separate and divide, partition, enclose or screen a parcel or parcels of land.

“Final decision” means the final City action, in writing, to approve, approve with conditions, or deny a permit application.

“Final plat” means a precise scale drawing of a subdivision and dedications which conforms to the approved preliminary plat, meets all the conditions of approval, and meets the requirements of the Skagit County Auditor for recording.

“Final short plat” means a precise scale drawing of a short subdivision and dedications which conforms to the approved preliminary short plat, meets all conditions of approval, and meets the requirements of the Skagit County Auditor for recording.

“Floor” means the same thing as a “story”.

“Floor area, net (NFA)” means the actual occupied area not including unoccupied accessory areas such as corridors, stairways, ramps, toilet rooms, mechanical rooms, and closets.

“Floor area, gross (GFA)” means the floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area does not include shafts with no openings or interior courts.

“Freestanding sign” means a type of sign defined in AMC 19.67.030.

G. G definitions.

“Gateway block frontage” refers to a type of block frontage designation that emphasizes landscaping on frontages facing State Route 20. See AMC 19.61.100 for details.

“Garage” means a sheltered or enclosed accessory space used for the storage of the motor vehicles, recreational vehicles, or boats. The term “garage” includes carport.

“Garage sale” means all general sales, open to the public, conducted from or on a residential premises in any residential zone, for the purpose of disposing of personal property.

“General-service establishment” refers to a type of commercial use category defined in AMC 19.44.020(A).

“Grade” means the level of the surface of the ground.

“Grading” means any excavating or filling or combination thereof, of land.

“Gross acre” means acreage plus one-half the width of abutting right-of-way of streets and alleys.

“Groundcover” means small plants such as salal, ivy, ferns, mosses, grasses, or other types of vegetation which normally cover the ground.

“Ground floor” means the first floor of any building nearest, on, or above the same plane as the fronting right-of-way.

“Grubbing” means the removal of trees, shrubs, stumps and rubbish from the project site.

H. H definitions.

“Hard surface area” means an impervious surface, a permeable pavement, or a vegetated roof.

“Heavy industry” means a land use category defined in AMC 19.45.010(A).

“Hedge” means trees, vines, and/or shrubs which are planted in a substantially uniform configuration, grown and joined together in some definite manner and generally pruned to a uniform shape, creating a substantial barrier to sight.

“Home occupation” means a type of accessory use defined in AMC 19.47.040.

“Hospital” means a type of medical use defined in AMC 19.44.030(C).

“Hotel” or “motel” means a type of overnight lodging use defined in 19.44.050(C).

I. I definitions.

“Impervious surface” means a non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development.

“Improved public street” means a platted public street, paved to city standards and specifications.

“Incidental sign” means a type of design defined in AMC 19.67.030.

“Infiltration device or facility” means a drainage device or facility designed to use the hydrologic process of surface and stormwater runoff soaking into the ground, commonly referred to as a percolation, to dispose of surface and stormwater runoff.

J. J definitions.

“Junk yard” means a lot, land, or structure, or part thereof, used for the collecting, storage, and sale of waste paper, rags, scrap metal, used building materials, or discarded material; or for the collecting, dismantling, storage, salvaging or sale of parts of machinery, or vehicles not in running condition. Junk yard includes auto wreckage yard or storage yard for wrecked automobiles.

K. K definitions.

“Kennel” means a type of personal service use defined in AMC 19.44.080. Also see AMC 6.06.090 Commercial kennels, catteries, pet shops and animal shelters—General conditions for applicable standards.

L. L definitions.

“Land clearing” means the act of removing or destroying trees or groundcover.

“Land disturbing activity” means any activity that results in a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices, including landscape maintenance and gardening, are not considered land-disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.

“Landmark building” means a structure recognized as historic or architecturally significant through designation on a local, state, or national historic register.

“Landscape” and “landscaped area” means an inclusive combination of trees, shrubs, flowers, ferns, groundcover, and other vegetation as defined in AMC 19.65.030.

“Landscaped block frontage” refers to a type of block frontage designation that emphasizes landscaped setbacks. See AMC 19.61.070 for details.

“Light industry” means a land use category defined in AMC 19.45.020(A).

“Live-work dwelling unit” refers to a type of household living use defined in AMC 19.43.010(J).

“Loading space” means an off-street space or berth on the same lot with a building, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley, parking lot or other appropriate means of access.

“Local government” means a county, city, or town.

“Local Improvement District” means an area comprised of a specific set of properties which are subject to a special property tax assessment after City Council action by ordinance pursuant to state statutes.

“Long subdivision” means the division or redivision of land into ten or more lots for the purpose of sale, lease, or transfer of ownership.

“Lot” means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term includes tracts or parcels.

“Lot coverage” means the area of a lot which is covered by buildings and structures. See AMC 19.42.110 for a clarification of how lot coverage standards established by AMC Chapter 19.42 Form & Intensity Standards are applied.

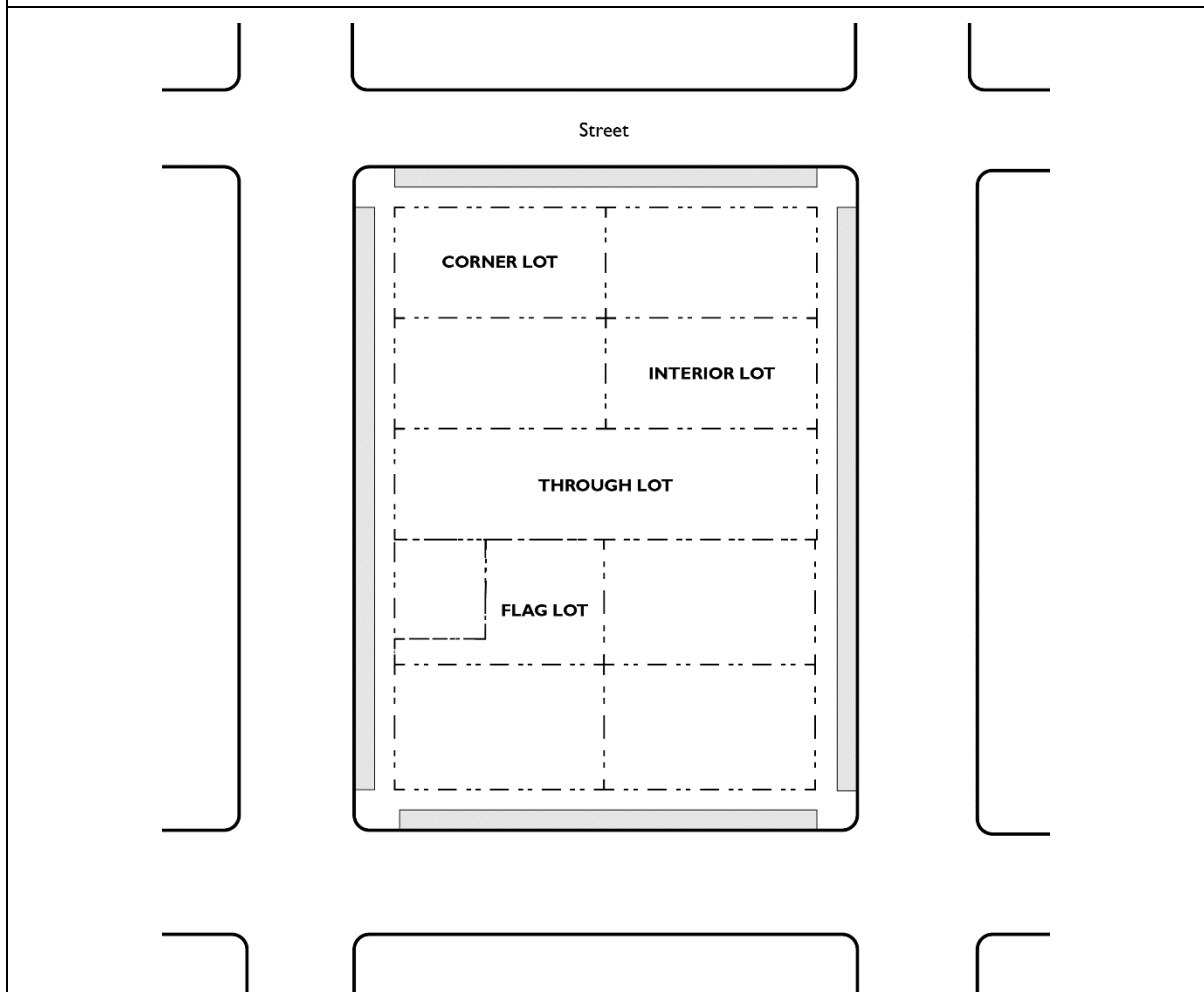
“Lot frontage” means the portion of the property line which abuts a street right-of-way.

“Lot of record” means a lot which is described by a final plat, short plat, or metes and bounds, and is established consistent with applicable local and state regulations at the date a legal instrument creating the lot is recorded at the Skagit County auditor’s office.

“Lot types”. The diagram in figure 19.12.020(L) illustrates terminology used in this title with reference to corner lots, interior lots, and through lots.

1. "Corner lot" means a lot located at the intersection of two or more streets. A lot abutting a curved street or streets must be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five degrees.
2. "Interior lot" means a lot with frontage on only one street.
3. "Through lot" means a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
4. "Flag lot" means a parcel of land, the body of which is separated from a public street by one or more lots, connected to a public street by a narrow portion (flag pole) of the parcel. See AMC 19.42.140(B) for flag lot setback standards.
5. "Shared-access lot" means a group of lots sharing a driveway. See AMC 19.54.040(E) for shared-access lot standards.

Figure 19.12.020(L)
Types of lots.



“Low impact development” (LID) means a stormwater and land-use management strategy that strives to mimic the pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing the following techniques:

1. Conservation.
2. Use of on-site natural features.
3. Site planning.
4. Distributed stormwater best management practices (BMPs) integrated into a project design.

Common LID BMPs include, but are not limited to: bio-retention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, water re-use, and rainwater harvesting.

“Low impact development best management practice” (LID BMP) means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation, and transpiration. LID BMPs include, but are

not limited to: bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use.

“Low impact development principles” means land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

M. M definitions.

“Major utility” means a type of utilities use defined in AMC 19.46.040(A).

“Manufactured home” refers to a type of household living use defined in AMC 19.43.010(K).

“Marijuana” means all parts of the plant cannabis, whether growing or not. See also “Cannabis.”

“Marine block frontage” refers to a type of block frontage designation that emphasizes use of either the Storefront or Landscaped block frontage standards but which also offers greater flexibility in site orientation. See AMC 19.61.090 for details.

“Medical office” means a type of medical use defined in AMC 19.44.030.

“Minimum requirement” means a technical minimum requirement described in Volume I of the Stormwater Management Manual for Western Washington (SWMMWW) and Appendix I of the City’s NPDES permit.

“Minor utility” means a type of utilities use defined in AMC 19.46.040(B).

“Mixed block frontage” refers to a type of block frontage designation that allows use of either the Storefront or Landscaped block frontage standards. See AMC 19.61.080 for details.

“Mixed-use” means a development that has a mix of uses such as but not limited to residential, office, retail, civic, dining, institutional, and industrial.

“Modulation” means stepping forward or backwards a portion of the façade as a means to articulate or add visual interest to the façade.

“Motel”. See “Hotel”.

“Multi-family restricted dwelling” refers to a type of household living use defined in AMC 19.43.010(I).

“Multifamily dwelling” refers to a type of household living use defined in AMC 19.43.010(H).

“Municipal service facility” means a type of general-service use defined in AMC 19.44.020(D).

“Museum” means a type of civic use defined in AMC 19.46.020(C)(4).

N. N definitions.

“Native vegetation” means vegetation composed of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site. Examples include trees such as Douglas fir, Western Hemlock, Western Red Cedar, Alder, Big-leaf Maple, and Vine Maple; shrubs such as willow, elderberry, salmonberry, and salal; and herbaceous plants such as sword fern, foam flower, and fireweed.

“Neighborhood grocery store” means a type of retail sales use defined in AMC 19.44.120(D).

“Nonconforming” or “pre-existing nonconforming” means a use or structure that was legally established when it was commenced or constructed but does not conform to laws or rules that were subsequently adopted.

“Nursery” means a type of agriculture use defined in AMC 19.46.010(E).

“Nursing home” means a type of group living use defined in AMC 19.43.020(D).

O. O definitions.

“Open record hearing” means a hearing conducted by a single hearing body or officer authorized by the city to conduct such hearings, that creates the city’s record through testimony and submission of evidence and information, under procedures prescribed by the city by ordinance or resolution.

“Open record pre-decision hearing” means an open record hearing held prior to the City’s decision on a project permit.

“Open record appeal hearing” means an open record hearing held on an appeal if no pre-decision hearing has been held on the project permit.

“Open space” means that part of a property which is unobstructed by structures from the ground upward, unless otherwise noted for internal open space provisions in AMC 19.62.040.

P. P definitions.

“Passive recreation” means a mix of uses on undeveloped land (including wetland buffers) or minimally improved lands which includes the following: naturally landscaped areas, non-landscaped greenspaces, picnic areas, water bodies, trails, interpretive trails and other similar structures or development.

“Parking space” means an off-street space plus room to enter and exit the space that is used temporarily to park a motor vehicle, and which has access to a public street or alley.

“Party of record” means a person who has testified at a public hearing, or submitted a written statement related to an application within the allowed timeframe, and who provides the City with a complete mailing address.

“Pedestrian-oriented space” means publicly accessible spaces that enliven the pedestrian environment by providing opportunities for outdoor dining, socializing, relaxing and provide visual amenities that can contribute to the character of the neighborhood. See AMC 19.62.040(D) for pedestrian-oriented space design criteria.

“Permanent sign” means a type of sign defined in AMC 19.67.030.

“Permeable pavement” means pervious concrete, porous asphalt, permeable pavers, or other forms pervious or porous paving material intended to allow passage of water through the pavement section. It often includes an aggregate base that provides structural support and acts as a stormwater reservoir.

“Permitted use” means any use authorized or permitted alone or in conjunction with another use in a specific zone and subject to the limitations of the regulation of such zone.

“Person” means and includes a human being or legal entities such as corporations, partnerships, etc.

“Personal service” means a category of land uses defined in AMC 19.44.080(A).

“Pervious surface” means any surface material that allows stormwater to infiltrate into the ground. Examples include lawn, landscape, pasture, native vegetation areas, and permeable pavements.

“Place of assembly” means a place for groups of people to gather for an event or scheduled program. Examples include both civic or public uses (see AMC 19.46.020) or commercial recreation uses (see AMC 19.44.090-100).

“Planning Commission” means the duly appointed Planning Commission of the city.

“Plat” means a scale drawing of a subdivision showing lots, blocks, streets, or tracts, or other division or dedications of land to be subdivided.

“Pole sign” means a type of freestanding sign defined in 19.67.030.

“Portable sign” means a type of freestanding sign defined in AMC 19.67.030.

“Preliminary plat” means a neat and approximate scale drawing of a proposed subdivision, showing the existing conditions and the proposed layout of streets, lots, blocks, and other information needed to properly review the proposal.

“Preliminary short plat” means a neat and approximate scale drawing of a proposed short subdivision, showing the existing conditions and the proposed layout of streets, lots, blocks, encumbrances, encroachments, and other information needed to properly review the proposal.

“Principal use” means the use for which the majority of a lot, structure, or building, is designed or actually employed.

“Produce stand” means a type of temporary use defined in AMC 19.48.020(B).

“Professional office” means a type of commercial use category defined in AMC 19.44.040.

“Projecting sign” means a type of building-mounted sign defined in AMC 19.67.030.

“Project permit or project permit application” means any land use or environmental permit or license required from the city for a project action, including but not limited to building permits, subdivisions, binding site plans, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, sub area plan, or development regulations except as otherwise specifically included in this subsection.

“Public access” means access for all persons at all times.

“Public park” means a type of parks, open space, and natural areas land use defined by 19.46.030(B).

“Public safety facility” means a type of general-service used defined in AMC 19.44.020(E).

“Public street” means a public thoroughfare which provides the principal means of access to abutting properties. See AMC Chapter 19.52 Public Street Design for related public street design standards and roadway functional classifications.

Q. Q definitions.

“Qualified professional” means a person with experience and training in the applicable field or critical area. A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries, geology or related field, and two years of related work experience.

R. R definitions.

“Rain garden” means a non-engineered shallow, landscaped depression, with compost-amended native soils and adapted plants. The depression is designed to pond and temporarily store stormwater runoff from adjacent areas, and to allow stormwater to pass through the amended soil profile. See AMC 19.65.060(F) for rain garden design standards.

“Real estate signs” means a type of sign defined in AMC 19.67.030.

“Recreational vehicle” means a type of temporary use defined in AMC 19.48.020(D).

“Religious institution” means any building used for non-profit purposes by an established religious organization holding either tax exempt status under Section 501(c)(3) of the Internal Revenue Code or under the state property tax law, where such building is primarily intended to be used as a place of worship. The term includes, but is not necessarily limited to, church, temple, synagogue, and mosque.

“Research and development” means a type of use category defined in AMC 19.45.040.

“Retail” means a type of use category defined in AMC 19.44.120(A).

“Retaining wall” means a structure that retains (holds back) any material (usually earth) and prevents it from sliding or eroding away.

“Rezone” means an amendment which changes the use classifications and/or boundaries upon the official zoning map.

“Right-of-way” means a strip of land in public ownership used for transportation, utility, open space, or other public purposes.

“Rockery” means placed rocks used to control soil erosion.

“Roofline” means the highest edge of the roof or the top of a parapet, whichever establishes the top line of the structure when viewed in a horizontal plane.

“Rooming house” means a type of group living use defined in AMC 19.43.020(E).

S. S definitions.

“School” means a type of civic use defined in AMC 19.46.020(C).

“Second floor” means the habitable floor above the ground floor.

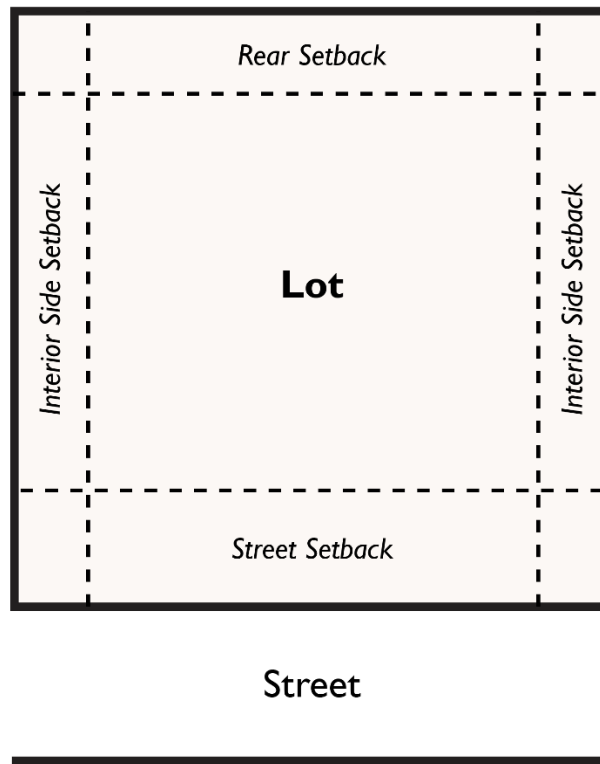
“Sediment basin (pond)” means a temporary sediment pond installed at a construction site.

“Setback” means the minimum required distance between a property line and a line parallel to that property line. Types of setbacks include:

1. Street setback.
2. Street setback - garage.
3. Side street setback.
4. Interior side setback.
5. Interior side setback - second floor.
6. Rear setback.

Figure 19.12.020(S) shows the location of some setback types on a typical lot. See AMC 19.42.130 for clarification on how all setback types are measured.

Figure 19.12.020(S)
Setback types.



“Setback line” means a line designating the minimum setback from the property line. See AMC 19.42.130 for measurement clarifications.

“Shell building” means a non-residential building that is capable of being divided into multiple leasable units or spaces with different uses but has had no use or uses identified as part of a land use permit application.

“Shoreline permit” means a shoreline substantial development permit, shoreline conditional use permit, or shoreline variance issued pursuant to the City’s Shoreline Master Program.

“Short plat” means the plat of a short subdivision.

“Short subdivision” means the division or redivision of land into nine or fewer lots.

“Single-family dwelling” refers to a type of household living use defined in AMC 19.43.010(B).

“Single family - small lot dwelling” refers to a type of household living use defined in AMC 19.43.010(C).

“Site area” means the total horizontal area within the property lines excluding external streets, except where property lines extend waterward of the ordinary high water mark (OHWM) in which case the site area is the total horizontal area landward of the OHWM and excluding external streets.

“Sign”. See AMC 19.67.030 for sign and sign-related definitions.

“Significant tree” means a deciduous and evergreen tree greater than six-inches in diameter at five-feet above grade.

“Site plan” means a map or representation of a site showing thereon the location of various features of a particular proposal, such as setbacks, buildings, parking areas, and other items.

“Standard of review” means the amount of deference given by an appellate body in reviewing a decision of a lower decision-maker.

“Storefront” means the ground floor façade of a commercial use adjacent to a sidewalk or internal pathway.

“Storefront block frontage” refers to a type of block frontage designation that emphasizes storefronts. See AMC 19.61.060 for details.

“Stormwater facility” means a constructed component of a stormwater drainage system, designed or constructed to perform a particular function, or multiple functions. Stormwater facilities include, but are not limited to, pipes, swales, ditches, culverts, street gutters, detention ponds, retention ponds, constructed wetlands, infiltration devices, catch basins, oil/water separators, and biofiltration swales.

“Stormwater management manual” means the city’s manual for design of stormwater facilities, as adopted in AMC 19.76.040.

“Street gutter” means a low area at the side of a road used to catch water and carry it away from the road.

“Streetscape” means the space between the buildings on either side of a street that defines its character. The elements of a streetscape include block frontages, building façades, landscaping (trees, yards, bushes, plantings, etc.), sidewalks, street paving, street furniture (benches, kiosks, trash receptacles, fountains, etc.), signs, awnings, and street lighting.

“Structure” means that which is built or constructed. An edifice or building of any kind, or any piece of work artificially built up or composed of parts jointed together in some definite manner, not to include fences less than seven-feet high, paved areas, or retaining walls.

“Story” means that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

“Substandard lot” means a lot that does not meet current city standards for area, width, or other dimensional characteristics for the zone in which it is located.

“Surface water” means waters that flow over the land surface and frequently interact with groundwater.

“SWMMWW” means 2014 Stormwater Management Manual for Western Washington.

T. T definitions.

“Temporary signs” means conforming signs permitted for a specified period of time. See AMC 19.67.110 for applicable standards.

“Tent structure” means any structure which is designed to be freestanding or partially supported by another structure, is covered with metal, canvas, plastic, or other material of a generally temporary nature, supported by a wood or pipe or similar skeletal frame.

“Townhouse dwelling” refers to a type of household living use defined in AMC 19.43.010(G).

“Tract” means land reserved for special uses such as open space, surface water retention, utilities, or access. Tracts are not counted as lots nor considered as building sites.

“Transparency” means the degree to which rays of light may transmit through a substance. For storefronts and other ground level non-residential uses, transparency also refers to the ability to see through the window and into the building as clarified in AMC 19.61.050.

“Tree” means any living woody plant characterized by one main stem or trunk (or a group of trunks, in some species) and many branches, and having a diameter of eight-inches or more measured at twenty-four-inches above ground level when mature.

“Triplex dwelling” refers to a type of household living use defined in AMC 19.43.010(F).

U. U definitions.

“Undesignated block frontage” refers to a type of block frontage without a designation. See AMC 19.61.110 for details.

“Undeveloped lot” means a lot or parcel of land upon which no building or structure exists.

“Under-canopy signs” means a type of building-mounted sign defined in AMC 19.67.030.

“Unit”. See “Dwelling unit”.

“Unit lot subdivision” means a subdivision of land within a parent parcel that creates individual sellable lots. See AMC 19.32.050(D) for unit lot subdivision procedures.

V. V definitions.

“Variance” means an adjustment from a dimensional or numeric standard of Title 19 issued per AMC Chapter 19.38 Variances.

“Vertical building modulation” means a stepping back or projecting forward vertical walls of a building face, within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure’s continuous exterior walls. Vertical building modulation may be used to meet façade the articulation standards in AMC 19.63.030.

W. W definitions.

“Wall” means an upright structure of wood, stone, brick or other such material serving to enclose, divide, support or protect.

“Wall sign” means a type of building-mounted sign defined in AMC 19.67.030.

“Water-oriented industrial uses” means a type of use category defined in AMC 19.45.080(A).

“Weather protection” means a permanent horizontal structure above pedestrian areas such as sidewalks and building entries that protects pedestrians from inclement weather.

“Window sign” means a type of building-mounted sign defined in AMC 19.67.030

19.12.040 - Rules of interpretation.

- A. Within this title, all words used have their normal and customary meanings, unless specifically defined otherwise in this title.
 1. Words used in the present tense include the future.
 2. The plural includes the singular and vice versa.

- B. Distances are measured horizontally unless otherwise specified.
- C. Interpretations of this code must be consistent with the Comprehensive Plan.
- D. Interpretations related to uses in each zone should be based on the “purpose” section of each zone.
- E. Where two applicable rules conflict within this title, the most restrictive rule controls unless otherwise specified.

19.12.060 - Supremacy.

In the event of a conflict between provisions of this title and AMC Title 13, 16, or 17, the provisions of this title control. In the event of a conflict between provisions of this title and AMC Chapter 18.16 Shoreline Master Plan, the provisions of AMC Chapter 18.16 Shoreline Master Plan control.

19.12.080 - Administrative interpretation.

- A. Consistent with RCW 36.70B.110(11), any person may submit a written request for an interpretation of this title. Any such request must:
 - 1. Specify each code section for which an interpretation is requested.
 - 2. Describe why an interpretation of each section is necessary.
 - 3. Include any reasons or material in support of a proposed interpretation.
 - 4. Include any fee established by the City Council for such requests.
- B. If the interpretation request is associated with a pending application for a development permit, the director may consolidate the request with the process for review of the application. If the director does not consolidate the request with an application, the director must issue an interpretation within 60 days of receipt of the request and publish it to the City website.
- C. In making an interpretation, the director must consider all of the following:
 - 1. The applicable provisions of the code including their purpose and context.
 - 2. The applicable provisions of the Comprehensive Plan and other relevant codes and policies.
 - 3. The impact of the interpretation on other provisions of the AMC.
 - 4. The implications of the interpretation for development within the City as a whole.
- D. The director may respond to inquiries regarding the applicability and interpretation of various code provisions prior to or outside the context of a formal request for an administrative interpretation.
- E. An administrative interpretation is not binding on the director or City, nor appealable, but the decision-maker on a relevant development permit application may treat an interpretation as persuasive authority.

Chapter 19.14 - INTERNATIONAL CODES

AMC 19.14 International Codes is omitted from this document. No changes are currently proposed.

Chapter 19.16 - LEGISLATIVE ACTIONS

19.16.010 - Purpose.

This chapter establishes a program and process for early and continuous public participation for land use legislation consistent with RCW Chapter 36.70A, the Growth Management Act.

19.16.020 - Applicability.

- A. This chapter applies to adoption and amendment of any of the following legislative matters:
 - 1. The Comprehensive Plan.
 - 2. The Comprehensive Plan land use map.
 - 3. Implementing development regulations.
- B. This chapter does not apply to any of the following quasi-judicial matters:
 - 1. Development permit applications.
 - 2. Rezones permitted by an existing Comprehensive Plan designation that do not require a simultaneous amendment to the Comprehensive Plan.
- C. This chapter does not apply to any of the following legislative matters:
 - 1. Adoption and amendment of international and uniform codes such as the International Building Code, International Fire Code, or other codes required by the State of Washington.
 - 2. Adoption of regulations governing impact fees, development agreements, and amendment of this chapter.

19.16.030 - General requirements.

- A. For amendments to the Comprehensive Plan policies (other than the capital facilities planning element, or the capital facilities financing plan) or land use map, the City must:
 - 1. Accept petitions per AMC 19.16.040.
 - 2. Docket amendments per AMC 19.16.050.
 - 3. Perform environmental review of the docket per AMC 19.16.060.
 - 4. Provide all public notices per AMC 19.16.070.
 - 5. Perform review by the Planning Commission per AMC 19.16.080.
 - 6. Offer additional opportunities for public comment if required per AMC 19.16.090.
 - 7. Adopt all amendments by ordinance simultaneously each year except for amendments that qualify for one of the exceptions in RCW 36.70A.130(2)(a).
- B. For amendments to the development regulations, the City must:
 - 1. Accept petitions per AMC 19.16.040 and docket amendments per AMC 19.16.050, or the City may itself initiate the process of adopting or amending development regulations at any time.
 - 2. Provide all public notices per AMC 19.16.070.

3. Perform review by the Planning Commission per AMC 19.16.080.
 4. Offer additional opportunities for public comment if required per AMC 19.16.090.
 5. Adopt all amendments by ordinance.
- C. For amendments to the capital facilities planning element, or the capital facilities financing plan, the City must:
1. Update the capital facilities financing plan at least once every two years.
 2. Ensure the financing plan is consistent with the Comprehensive Plan, as required by RCW 36.70A.070, and includes at least the next six years of capital facilities expenditures.
 3. Ensure the financing plan is consistent with the City budget.
 4. Hold a public hearing and offer a written comment period of at least two weeks.
 5. Provide public notice consistent per AMC 19.16.070.
 6. Offer additional opportunities for public comment if required per AMC 19.16.090.
 7. Adopt the amendments to the capital facilities planning element, or the capital facilities financing plan, by ordinance into the City's Comprehensive Plan.
 8. Consistent with the provisions for timing of amendments to the Comprehensive Plan identified in RCW 36.70A.130, adopt the amendments either:
 - a. Simultaneous with the docket of annual amendments to the Comprehensive Plan; or
 - b. Simultaneous with adoption or amendment of the City budget.

19.16.040 - Petitions.

- A. Types of petitions. A petition is one or more of the following types:
1. An amendment to the Comprehensive Plan policies.
 2. An amendment to the Comprehensive Plan land use map (which requires a simultaneous rezone).
 3. An amendment to the development regulations.
- B. When to file.
1. A petition must be submitted on or before the last business day of March, except that a City-initiated petition is not subject to this deadline.
 2. A petition for a rezone or map amendment may be considered only once between each Comprehensive Plan Periodic Update unless the applicant demonstrates a substantial change in circumstances. A petition for the same property may not be considered in consecutive years.
- C. How to file.
1. A petition must be filed with the department on forms provided by the department.
 2. A petition must be filed with all fees required by the adopted fee schedule.
 3. A City-initiated petition does not require a written petition or fees.
- D. Contents of petition. A petition for amendment of the Comprehensive Plan or the development regulations must include the following:

1. A detailed statement of what is proposed to be changed and why.
 2. A statement of anticipated impacts to be caused by the change, including geographic area affected and issues presented.
 3. A demonstration of why the proposal is needed.
 4. A statement of how the amendment is consistent with the Comprehensive Plan's vision and goals.
- E. A petition for a rezone or amendment of the Comprehensive Plan map must also include a detailed description of how the map amendment complies with:
1. The land use designation criteria in the Comprehensive Plan.
 2. Approval criteria for map amendments and rezones.

19.16.050 - Docketing.

- A. The department must review all new petitions and any petitions deferred from the previous year's docket, and forward a recommendation to the City Council as to which petitions should be included in the next year's docket.
- B. In making its docket recommendation, the department must consider whether:
1. The petition complies with the filing requirements.
 2. The petition, in light of all proposed amendments being considered for inclusion in the year's docket, can be reasonably reviewed within the staffing and operational budget allocated to the department by the City Council.
 3. The proposed amendment, to be adopted, would not require additional amendments to the Comprehensive Plan or development regulations not addressed in the application, and is consistent with other goals, objectives and policies adopted by the City Council.
 4. The proposed amendment raises policy, land use, or scheduling issues that would more appropriately be addressed as part of an ongoing or planned work program, or as part of the periodic review cycle.
 5. Some legal or procedural flaw in the petition would prevent its legal implementation.
 6. The petition lacks sufficient information or adequate detail to review and assess whether or not the proposal meets the applicable approval criteria. A determination that the proposal contains sufficient information and adequate detail for the purpose of docketing does not preclude the department from requesting additional information at any later time.
- C. Following receipt of the department's docket recommendation, the City Council must hold a public hearing to allow applicants and the public to comment on the department's recommendation. The City Council must subsequently consider the department's recommendation and the public comment and decide which petitions to include as part of the annual docket.
- D. The City Council must include, exclude, or defer each petition.
1. Include. The City Council's decision to include a petition in the docket is procedural only and does not constitute a decision by the City Council as to whether the amendment will ultimately be approved.
 2. Exclude. The City Council's decision to exclude a petition from the docket terminates the petition.

3. Defer. The City Council's decision to defer a petition means the City Council will consider the petition for docketing in the next annual amendment cycle.
- E. The petitions included in the docket must be processed according to the remaining sections of this chapter, including public review and comment and Planning Commission recommendation, and final City Council action to approve, approve with modifications, defer to a subsequent amendment cycle, or deny each petition.

19.16.060 - Environmental review of docket.

- A. After the Council establishes the year's docket of Comprehensive Plan amendments, the City must complete environmental review of all of the proposed amendments, consistent with the requirements of RCW Chapter 43.21C and AMC Chapter 18.04 State Environmental Policy Act. For a site-specific Comprehensive Plan amendment, the applicant must submit a complete environmental checklist, required fees, and any other supporting information required by the department.
- B. After receipt and review of the environmental checklist(s) for each of the docketed Comprehensive Plan amendments, the department must issue threshold determination(s) on the docket of amendments.
- C. Any environmental review must consolidate, as much as practical, site-specific SEPA review with review of the entire docket of proposed Comprehensive Plan amendments to ensure adequate consideration of cumulative effects of the proposed amendments.
- D. A petition that is carried over from a previous year's docket to the next docket does not require a new SEPA checklist and fee, and is not required to be considered in the same environmental document as other proposals in the same docket. However, the department may require additional SEPA analysis to assess the cumulative impacts of the various proposals constituting a docket.

19.16.070 - Public notices.

- A. All public hearings and written comment periods that appear in this chapter require public notice.
- B. Consistent with RCW 36.70A.035(1), "public notice" whenever it appears in this chapter includes all of the following:
 1. Publishing a native electronic copy of the document on the proposal's webpage on the department's website.
 2. Sending notice to the department's e-mail list, including general lists or relevant lists for specific proposals or subject areas.
 3. Publishing a paid notice in the City's official newspaper.
- C. For site-specific proposals (e.g. site-specific Comprehensive Plan map amendments), the initial "public notice" of a proposal also includes all of the following:
 1. Posting notice on the property.
 2. Mailing notice directly to the owners of the subject property and to all property owners within 300-feet of the subject property.
- D. Notices must include all of the following:
 1. A concise description of the proposal in plain English.

2. Information on how to provide comment on the proposal.
3. Deadlines for public comment.
4. Address of the project webpage.

19.16.080 - Review by Planning Commission.

A. Public Hearing.

1. After environmental review, the Planning Commission must hold at least one public hearing before issuing a recommendation on each proposal.
2. If necessary due to the number of people present to comment, the Planning Commission may continue the public hearing to another date, time, or location.

B. Deliberations.

1. Required consideration. The Planning Commission must consider the following in making its recommendation:
 - a. Public hearing testimony and written comment received during any public comment period.
 - b. Recommendations and analysis from relevant City advisory groups.
 - c. Staff recommendations and analysis.
 - d. Legal advice.
 - e. Consistency of the proposal with the Anacortes Comprehensive Plan.
 - f. For proposed Comprehensive Plan map changes, whether the proposal is justified by changed or changing conditions, whether the proposal would create an isolated land use designation unrelated to adjacent designations (a spot zone), and whether the proposal will be compatible with neighboring properties and not adversely affect the value of those properties.
2. Ability to ask follow-up questions. The Planning Commission may ask specific follow-up questions of those that testify or submit written comments in order to clarify their testimony or request specific further information.
3. Ability to continue deliberations. The Planning Commission may continue their deliberations to a subsequent meeting if it needs additional information or additional time to deliberate.

C. Recommendation to City Council.

1. Timing. At the conclusion of its deliberations, the Planning Commission must vote on the proposal.
2. Vote. The Planning Commission may vote to recommend approval, approval with modifications, or rejection of the proposal. The Planning Commission may recommend general modifications to the proposal and need not provide explicit textual edits.
3. Content. The Planning Commission's recommendation on a proposal must be by recorded motion, which must contain the following components:
 - a. Findings of fact: a list of facts that the Planning Commission believes to be true and that are relevant to its recommendation on the proposal.

- b. Reasons for action: an explanation of the Planning Commission's rationale in making its recommendation.
- c. Recommendation: the recommendation resulting from the vote.
- d. Vote: a record of the roll call vote on the entire recorded motion.
- e. Additional comments: other relevant comments, suggestions, or recommendations, not strictly related to the recommendation, that the Planning Commission desires to include.
- f. Signature of the chair attesting that the recorded motion reflects the Planning Commission's decision.

19.16.090 - Review by City Council.

- A. Upon receipt of the Planning Commission's recommendation, the City Council must consider and take action on the recommendation.
- B. The City Council may take final action with no further process in any of the following situations:
 - 1. When the plan, plan amendment, or development regulation to be adopted by the City Council conforms substantially to the proposal as made available for public comment.
 - 2. Pursuant to RCW 36.70A.035, when any of the following are true:
 - a. An environmental impact statement (EIS) has been prepared under RCW Chapter 43.21C for the pending resolution or ordinance and the proposed change is within the range of alternatives considered in the environmental impact statement.
 - b. The proposed change is within the scope of the alternatives available for public comment.
 - c. The proposed change only corrects typographical errors, corrects cross-references, makes address or name changes, or clarifies language of a proposed ordinance or resolution without changing its effect.
 - d. The proposed change is to a resolution or ordinance making a capital budget decision as provided in RCW 36.70A.120.
 - e. The proposed change is to a resolution or ordinance enacting a moratorium or interim control adopted under RCW 36.70A.390.
 - 3. When the action is to preserve the status quo and reject any and all changes in their entirety.
- C. Except as provided in subsection (B), the City Council must allow additional public comment opportunity prior to final action. The City Council must choose one or more of the following options to provide such opportunity:
 - 1. An additional written public comment period.
 - 2. One or more public hearings before the City Council.
 - 3. Remand of issue(s) to the Planning Commission for further recommendations after an additional written public comment period, or an additional public hearing, or both.
- D. If the City Council adopts a substantial change from the original proposal without remand, it must adopt its own findings of fact and reasons for action, setting forth the factors considered in the public comment or at the hearing and its own analysis of findings considered by it to be controlling.

19.16.100 - Final disposition of annual docket.

- A. The City Council must take action (approve, deny, or defer) on the current year's docket before establishing a subsequent docket.
- B. The City Council may defer action on any specific plan or plan amendment to a future docket if:
 - 1. Additional time is needed to analyze the impacts of the proposal.
 - 2. Retaining the proposal on the docket would unfairly delay action on other proposals that are otherwise ready for a decision.
 - 3. Approval of the proposal depends on the implementation of other rules, standards or policies that either do not exist or are not official by the time the City Council is ready to make its decision on the annual docket.
 - 4. The City Council determines that the proposed plan or plan amendment is more appropriately considered during a subsequent amendment process.

19.16.110 - Emergency or interim regulations.

The provisions of RCW 36.70A.390 for emergency or interim maps or regulations or moratoria, if applicable, supersede the requirements of this chapter.

DIVISION 2 - PROCEDURES

Division 2 - Procedures 34

Chapter 19.20 - APPLICATION PROCEDURES 36

19.20.010 - Policy.....	36
19.20.020 - Applicability.....	36
19.20.030 - Types of review.....	36
19.20.040 - Consolidated review.....	38
19.20.050 - Eligibility for permits.....	39
19.20.060 - Lots of record.....	39
19.20.070 - Vesting.....	39
19.20.080 - Requirement for public notices.....	40
19.20.090 - Pre-application conference.....	41
19.20.100 - Pre-application neighborhood meeting.....	41
19.20.110 - Application-contents and completeness-revisions.....	42
19.20.120 - Application-notice.....	43
19.20.130 - Application-department review.....	44
19.20.140 - Public hearings and meetings.....	45
19.20.150 - Public hearing-notice.....	45
19.20.160 - Decision-timing.....	46
19.20.170 - Decision-notice.....	47
19.20.180 - Appeals.....	47
19.20.190 - Remand.....	49
19.20.200 - Reconsideration.....	49
19.20.210 - Exhaustion of administrative remedies.....	49

19.20.220 - Departures	50
19.20.230 - Framework development plans.....	50
Chapter 19.22 - CONCURRENCY	52
19.22.010 - Purpose.....	52
19.22.020 - Definitions.....	52
19.22.030 – Applicability	52
19.22.040 – Project concurrency review.....	53
19.22.050 – Concurrency test.....	54
19.22.060 – Phased development.....	54
Chapter 19.28 - PERMIT REVISION & EXPIRATION	55
19.28.010 - Permit revision.....	55
19.28.020 - Permit expiration.....	55

Chapter 19.20 - APPLICATION PROCEDURES

19.20.010 - Policy.

This chapter establishes standard procedures for review of development permit applications and appeals. These procedures are designed to promote timely and informed public participation, eliminate redundancy in the process, minimize delay and expense, and result in approvals that further the goals and policies of the Anacortes Comprehensive Plan. These procedures are intended to be consistent with the provisions of RCW Chapter 36.70B and integrate the land use permit process with the environmental review process.

19.20.020 - Applicability.

- A. This chapter applies to all applications and all development permits issued per AMC Titles 16, 17, and 19.
- B. Exemptions. Consistent with RCW 36.70B.140, the following permits are exempt from the procedural requirements of this chapter:
 - 1. Sidewalk use permits.
 - 2. Development agreements.
 - 3. Final approval of short subdivisions and subdivisions.
 - 4. Landmark designations and street vacations.

19.20.030 - Types of review.

- A. Decisions on applications are governed by several types of review processes, described and distinguished in this section. The types of review are generally organized in ascending order of significance, amount of public process, and level of discretion exercised by the decision maker.
- B. The director must determine the proper review type for all permit applications. If there is a question as to the required type of process, the director must resolve it in favor of the higher type number. A Type 3-PC review is considered a higher level than a Type 3-HE review.
- C. Table 19.20.030(1) identifies the types of review for all applications, and describes the process for each type of review.
 - 1. The types of applications that are subject to each type of review are listed in the column immediately beneath the heading for each type.
 - 2. The processes required for each type of review is further described by the remainder of the column beneath the heading for each type.
 - 3. The remainder of this chapter describes the required processes for each type of review.

Table 19.20.030 Review classification and process matrix.					
Types of Review	Type 1 Administrative Ministerial Actions	Type 2 Administrative Decisions	Type 3-HE Hearing Examiner Decisions	Type 3-PC Planning Commission Decisions	Type 4 City Council Decisions
Types of applications	• Accessory dwelling units • Assessment of impact fees per AMC Ch. 3.93 • Boundary line adjustments • Building, mechanical & plumbing permits • Clearing & grading permits • Extension of time for approval • Fence permits • Minor permit revisions • Sign permits • Site plan review, less than 10 dwelling units, and/or less than 12,000sf of non-residential gross floor area, and/or less than 20,000sf of site improvements • Shoreline exemptions	• Administrative conditional use permits, including home occupation permits • Binding site plans, less than 10 lots • Level 1 variances • Preliminary short subdivisions • SEPA threshold determinations • Site plan review, 10 or more dwelling units, and/or 12,000sf or more of non-residential gross floor area, and/or 20,000sf or more site improvements • Stormwater Management Manual exceptions	• Level 2 variances • Zone boundary determination	• Any other applications identified as “conditional uses” in AMC Title 17 • Shoreline Conditional Use & Variance Permits • Shoreline Substantial Development Permits (SSDP) for projects valued less than one million dollars on site less than three acres • Special use & reasonable use permits per AMC Chapter 17.70	• Binding site plans, 10 or more lots’ • Conditional use permits, except administrative CUPs • Essential Public Facilities, type 1 & 2 • Framework development plans • Preliminary long subdivisions • Site-specific rezones authorized by the Comprehensive Plan • Shoreline Substantial Development Permits (SSDP) for projects valued at \$1 million or more or on site of 3-acres or more
Pre-application conference	At discretion of director	At discretion of director	Yes	Yes	Yes
Pre-application neighborhood meeting	No	No, except may be required for short subdivisions, binding site plans, and site plan review at	Yes	Yes	Yes

Table 19.20.030 Review classification and process matrix.					
Types of Review	Type 1 Administrative Ministerial Actions	Type 2 Administrative Decisions	Type 3-HE Hearing Examiner Decisions	Type 3-PC Planning Commission Decisions	Type 4 City Council Decisions
		discretion of director			
Notice of application	No	Yes	Yes	Yes	Yes
Comment period	None	14 days	21 days	21 days (30 for shoreline permits)	21 days (30 for shoreline permits)
Recommendation by	None	None	Director	Director	Planning Commission
Pre-decision open-record public hearing	No	No	Yes, before Hearing Examiner	Yes, before Planning Commission	Yes, before Planning Commission
Closed-record decision hearing	No	No	No	No	Yes, before City Council
Decision by	Director	Director	Hearing Examiner	Planning Commission	City Council
Notice of decision	No	Yes	Yes	Yes	Yes
Local appeal available to	Hearing Examiner	Hearing Examiner	City Council	City Council	None
Appeal hearing type	Open-record	Open-record	Closed-record	Closed-record	N/A

19.20.040 - Consolidated review.

- A. Optional consolidated application processing. All projects that involve two or more application processes may, at the applicant's written request, be processed collectively under the highest numbered type procedure required for any part of the application or may be processed individually under each of the review procedures. If the application is processed under the individual procedures option, the highest numbered type procedure must be processed prior to the subsequent lower numbered procedure.
- B. Integration of environmental review. An application for a development permit that is subject to the State Environmental Policy Act (SEPA) must be reviewed per AMC Chapter 18.04 State

Environmental Policy Act concurrently with review of the development permit application except where exempted by that chapter.

- C. Per RCW 36.70B.050, review of an application is allowed only one open record hearing and one closed record appeal hearing.
- D. The appeal of a SEPA procedural determination is not subject to this section.

19.20.050 - Eligibility for permits.

- A. All development permits require a lot of record as described in AMC 19.20.060.
- B. The department may not issue any development permit for a lot created through a division, conveyance, or segregation that was illegal or contrary to city subdivision laws or RCW Chapter 58.17.

19.20.060 - Lots of record.

- A. In any zone in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this title, a single-family dwelling and customary accessory buildings may be erected on any single substandard lot of record at the effective date of adoption of the 1978 zoning ordinance. Such lot must have been in separate ownership and not of continuous frontage with other lots in the same ownership continuously since April 19, 1978. This provision applies even when such lot fails to meet the requirements for area or width, or both, that are generally applicable in the zone, provided that setback dimensions and other requirements not involving area or width, or both, of the lot conform to the current regulations for the zone in which such lot is located.
- B. If two or more contiguous substandard lots, or combination of contiguous substandard lots and portions of lots, were in single ownership of record as of April 19, 1978, or at any time since that date, they must be aggregated and considered a single parcel for purposes of meeting current area and dimensional standards for lots in the zone in which they are located. If all such contiguous land under single ownership still constitutes a substandard lot once aggregated, a single-family dwelling and customary accessory buildings may be erected thereon (or other uses generally permitted in the zone), provided setback, lot coverage, and other requirements are met. No portion of land or lots thus aggregated may be used or sold in a manner which creates or leaves remaining a substandard lot.
- C. Any residential lot or lots, which were used as residential prior to April 19, 1978, and have been in continual residential use since April 19, 1978, in a zone that is now zoned light manufacturing must be considered a conforming, permitted residential use within the nonresidential designation. Other requirements of the nonresidential designation, such as lot size, setbacks, density, land coverage, building height, and parking apply to such residential lots.

19.20.070 - Vesting.

- A. An application for a building permit or land division vests at the time a complete application is filed with the department and all application fees are paid, consistent with RCW 19.27.095(1) and RCW 58.17.033(1).
 - I. An application is complete on the date a complete application is filed, as subsequently determined in the letter of completeness.

2. An application vested under this section is not subject to laws or regulations that become effective after the date of vesting, except as provided below.
- B. This section may not be construed to restrict the City from imposing conditions on development permits pursuant to the State Environmental Policy Act, RCW Chapter 43.21C, WAC Chapter 197-11, as long as such conditions do not change any of the requirements of the underlying code section pertinent to the particular development permit.
- C. This section may not be construed to prevent the City from imposing new regulations necessary to protect the public health and safety, including, but not limited to, the requirements of the building, health, and fire codes, as now adopted or as subsequently amended.

19.20.080 - Requirement for public notices.

A. Applicability. This section applies whenever one of the following is required by this chapter:

1. Notice of Application.
2. Notice of Public Hearing.
3. Notice of Decision, including any revised Notice of Decision.

B. Distribution. The department must timely distribute the notice by:

1. Publication in the City's official newspaper.
2. Electronic mail or first-class mail to:
 - a. The applicant.
 - b. Any appellant.
 - c. Any parties of record.
 - d. Any person who, prior to rendering the decision, has requested a copy of the Notice of Decision.
 - e. Any agencies with jurisdiction over the application or any agencies that commented on the application.
 - f. Washington State Department of Transportation if the project is located adjacent to the right-of-way of a state highway.
 - g. Skagit County if the project is located adjacent to a city boundary.
3. For a Notice of Application, via first class mail to owners of property within 300-feet of the subject property.
4. For a Notice of Decision, to the County Assessor.
5. Posting on at least two notice boards on or near the subject property, and on the notice board at City Hall and public library. The director may establish standards for size, color, layout, design, wording, and placement of the signs and notice boards.

C. Errors. Errors in precise compliance with the rules contained in this section do not require repeating the public notice if the notice was reasonable and adequate.

19.20.090 - Pre-application conference.

- A. Purpose. The pre-application conference is intended to:
 - 1. Provide the City and other agency staff with information about the proposed development.
 - 2. Enable staff to advise the applicant of applicable approvals and requirements.
 - 3. Acquaint the applicant with the applicable requirements of the AMC and other laws.
 - 4. Identify issues and concerns in advance of a formal application.
- B. When required.
 - 1. Generally. A pre-application conference is required when shown in AMC 19.20.030.
 - 2. Exception. The director may waive the pre-application conference if the proposal has few development-related issues, involves subsequent phases of an approved development, or is substantially similar to a prior proposal affecting substantially the same property.
- C. To schedule a pre-application conference, the applicant must submit a request on forms provided by the department and pay any applicable fees.
- D. The advice the City provides at pre-application meetings is not binding upon the City and does not prevent the City from enforcing all applicable regulations.

19.20.100 - Pre-application neighborhood meeting.

- A. Purpose. The purpose of the neighborhood meeting is to:
 - 1. Inform citizens about the potential project at an early stage.
 - 2. Foster communication between the applicant and the public regarding potential issues and opportunities for solutions related to the project.
- B. When required.
 - 1. A pre-application neighborhood meeting is required when shown in AMC 19.20.030.
 - 2. The applicant must hold a neighborhood meeting before submitting an application and after any required pre-application conference.
 - 3. The director may require the applicant to hold another neighborhood meeting if the applicant's plans change significantly from those described at the neighborhood meeting.
- C. Meeting.
 - 1. The meeting must be held in a public meeting place, such as the Public Library meeting room, Depot Arts Center, or City Hall or similar room as approved by the director.
 - 2. The meeting may be facilitated by a third-party facilitator approved by the director.
 - 3. The meeting must be held Tuesday, Wednesday, or Thursday at 6 or 7 p.m. and may not overlap with any other City meeting or City holidays.
- D. Notices.
 - 1. The director may provide standard notice formats and guidelines for conducting the meeting.
 - 2. The notice must include:
 - a. a brief description of the project;

- b. date, time, and location of the neighborhood meeting;
 - c. name and phone number of the applicant or their representative.
- 3. The notice must be mailed at least 10 days prior to the meeting to all of the following:
 - a. The department.
 - b. The list of property owners that must receive the notice of application.
- 4. The notice must be published in the local newspaper at least 10 days prior to the meeting.
- 5. The applicant must also post the notice on the project site at least 10 days prior to the meeting.
- E. The applicant is responsible for all fees and costs associated with the pre-application neighborhood meeting.

19.20.110 - Application-contents and completeness-revisions.

- A. Contents of applications.
 - 1. Application requirements:
 - a. Applications must be submitted on forms provided by the department.
 - b. Applications must be signed by the owners of the property subject to the application, or include the owner's notarized authorization for the applicant to submit the application.
 - c. Applications must include fees, as calculated by the director following the adopted fee schedule.
 - d. Applications must include all the information specified in any applicable code section as well as the application checklist provided by the department.
 - 2. The applicant must apply for all permits identified in the pre-application meeting and required by law.
- B. Complete applications.
 - 1. A permit application is complete for the purposes of this section when it meets the requirements of section A.
 - 2. When the director makes a determination on completeness of an application, the director must provide to the applicant either:
 - a. A written determination that the application is complete; or
 - b. A written determination that the application is incomplete, a request for information necessary to make the application complete, and a notice that the requested information must be submitted within 90 days.
 - 3. A determination of completeness is not required if the director issues the permit prior to the deadlines in subsection (C).
 - 4. A determination of completeness does not preclude the director from requesting additional information or studies either at the time of the determination of completeness or later, if the information is required to complete review of the application or substantial changes in the permit application are proposed.

C. Timing.

1. Initial receipt of application. Upon initial receipt of an application, the director must provide the applicant a determination of completeness within 28 days. If the director does not provide a written determination within 28 days, the application is deemed complete at the end of the 28th day.
2. Receipt of additional information. When the applicant submits the requested information, the director must evaluate the application for completeness within 14 days. If the director does not provide a written determination within 14 days, the application is deemed complete at the end of the 14th day.
3. Incomplete applications.
 - a. The applicant may submit a written request for extension of the deadline to submit the requested information for an additional 90 days. The director may grant up to two such extensions.
 - b. If the applicant has not provided the requested information by the deadline, the director must reject and return the application along with any unspent application fees.

D. Revisions to applications.

1. The applicant may make minor revisions to the application after the determination of completeness and before the closure of an open public hearing.
2. A “minor revision” to an application is one that does not:
 - a. Involve more than ten-percent increase in area or intensity of the use.
 - b. Increase the number of lots, dwelling units, or density.
 - c. Decrease the quality or amount of open space.
 - d. Result in any significant environmental impact not adequately reviewed or mitigated by previous documents.
 - e. Expand onto property not included in the original proposal.
3. Any revision other than a minor revision requires a new application.

19.20.120 - Application-notice.

- A. When required. A Notice of Application is required when shown in AMC 19.20.030 Types of review.
- B. Contents. The Notice of Application must include all of the following:
 1. The application number.
 2. The name of the applicant.
 3. The date of application, the date of the notice of completion for the application, and the date of the notice of application.
 4. Identification of the location of the project, by address if available.
 5. A description of the proposed application, a list of the project permits included in the application and, if applicable, a list of any studies requested under RCW 36.70B.070.

6. The identification of other permits not included in the application, to the extent known by the City.
7. The identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed.
8. A statement of the public comment period, which lasts the number of days specified for the application type in AMC 19.20.030 Types of review; except all shoreline permits subject to the comment period as outlined in WAC 173-27-110(2)(e), which allows for a 30-day comment period.
9. A statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights.
10. The date, time, place and type of hearing, if applicable and scheduled at the date of notice of the application.
11. A statement of the preliminary determination of consistency, if one has been made at the time of notice, and of those development regulations that will be used for project mitigation and consistency.
12. If the City is using the optional DNS process (WAC 197-11-355), additional information will be added to the notice as required by WAC 197-11-355(2).
13. Any other information determined necessary by the City, such as the City's likely threshold determination, if complete at the time of issuance of the notice of application.

C. Timing.

1. The department must distribute a Notice of Application within 14 days of determination that an application is complete and at least 15 days prior to any open record hearing.
2. Within seven days after the end of the public comment period, the department must transmit the applicant a copy of public comments timely received in response to the Notice of Application together with a statement that the applicant may submit a written response to these comments within seven days from the date the comments are transmitted.

19.20.130 - Application-department review.

- A. The department has a duty to review each application for compliance with applicable city codes and to deny, or recommend denial of, or approve, or recommend approval of, an application based on its compliance with applicable city codes.
- B. If the department is required to provide a recommendation to the decision maker or body making a recommendation on an application, the department's recommendation must include all of the following:
 1. The date of determination of completeness.
 2. Identification of city codes relevant to evaluation of the application.
 3. A statement of facts necessary for the decision maker to evaluate the application's compliance with applicable city codes.
 4. The department's evaluation of whether the application complies with applicable city codes.
 5. A description of the public process the application is subject to.

6. A description of any environmental review related to the application.
7. Draft findings of fact for the decision-maker.
8. Any other information that is necessary to make a decision regarding the application.

C. Requirement to consider comments.

1. In making its recommendation or decision, the department must consider written comments, and applicant's responses, that are timely received.
2. Except for a determination of significance, the department may not issue its SEPA threshold determination or issue a decision or recommendation on the application until the expiration of the public comment period on the notice of application.

19.20.140 - Public hearings and meetings.

- A. All hearings and meetings conducted as part of processing a permit application must be conducted consistent with this section.

Table 19.20.140				
Types of hearings and meetings.				
	Open-record Pre-decision	Closed-record Decision	Open-record Appeal	Closed-record Appeal
Participation	Any interested party	Applicant and any party of record	The applicant, any appellant, and any party of record	The applicant, any appellant
Facts allowed outside the record	Yes	No	Yes	No
Standard of review	Compliance with AMC Titles 16, 17, 18, 19	De novo	Clearly erroneous	Clearly erroneous
Burden of proof	Applicant	Applicant	Appellant	Appellant

- B. Swearing-in required. Before testifying, any witness, including city staff, must be required to declare that he or she will testify truthfully, by oath or affirmation.
- C. Continuations. If, for any reason, a meeting or hearing on a pending action cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a specified date and no further notice under this section is required.

19.20.150 - Public hearing-notice.

- A. When required.** A notice of public hearing is required for any public hearing held on a permit application pursuant to this chapter.
- B. Contents.** The public notice must include all of the following:
1. The application number.
 2. Project summary/description of each project permit application.
 3. The designation of the hearing body.

4. The date, time, and place of the hearing and a statement that the hearing will be conducted in accordance with the rules of procedure adopted by the hearing body.
 5. General project location, vicinity, address, and parcel number(s), if applicable.
 6. The name of the applicant or applicant's authorized representative and the name, address and telephone number of a contact person for the applicant, if any.
 7. The SEPA threshold determination, or description thereof, will be contained in the notice, along with any appropriate statement regarding any shared or divided lead agency status and phased review and stating the end of any final comment period.
 8. A statement regarding the appeal process.
 9. The date when the staff report will be available and the place and times where it can be reviewed.
- C. Timing.** The department must distribute, including by publishing in the City's official newspaper, a notice of public hearing at least 15 days prior to the date of public hearing.

19.20.160 - Decision-timing.

A. Time limits.

1. The decision-maker may not issue its decision on an application until the expiration of the public comment period on the notice of application.
2. The final decision on an application for a development permit must be made within the time limits from determination of completeness listed in Table 19.10.200-I.

Table 19.20.160 Decision timing.	
Type of Application	Time Limit
Preliminary subdivisions and binding site plans (RCW 58.17.140)	90 days
Final subdivisions (RCW 58.17.140)	30 days
All other development permits (RCW 36.70B.080)	120 days

3. The following time periods are excluded from the calculation of the time limits:
 - a. Any time required to correct plans, perform studies, or provide additional information.
 - b. Any time during which substantial project revisions are made or requested by an applicant, in which case the 120 days will be calculated from the time that the City determines the revised application to be complete.
 - c. Any time required for the preparation and review of an environmental impact statement.
 - d. Any time required to complete the process for the siting of an essential public facility.
 - e. Any time required to obtain any necessary variance.
 - f. Any time required for any administrative appeals.
 - g. Any time required for any administrative appeal of SEPA threshold determination, if applicable.

- h. Any time required for any remand to the hearing body.
- i. Any extension of time mutually agreed upon by the City and the applicant.
- j. Any specific amount of additional time that the City determines is necessary for the processing of a specific complete project permit application.

4. Extension of time. If the City is unable to issue its final decision on an application within the time limits provided for in this section, it must provide written notice to the applicant. The notice must include a statement of the reasons why the time limits cannot be met and an estimated date for issuance of the Notice of Decision.

B. Effective date. The decision is effective on the date stated in the decision, resolution, or ordinance. The date from which appeal periods may be calculated is the date of issuance of the decision.

19.20.170 - Decision-notice.

- A. When required. When a final decision is made that requires a Notice of Decision per AMC 19.20.030 or a decision is made on appeal, the department must issue a Notice of Decision.
- B. Contents. The Notice of Decision must include all of the following:
 - 1. The application number.
 - 2. The name of the applicant.
 - 3. The name of the project.
 - 4. The street address of the project site.
 - 5. A description of the application.
 - 6. The date of final decision on the application.
 - 7. The date the Notice of Decision was issued.
 - 8. The decision on the application.
 - 9. Any threshold determination made pursuant to RCW Chapter 43.21C.
 - 10. A notice that affected property owners may request a change in valuation from the County Assessor for property tax purposes notwithstanding any program of revaluation.
 - 11. The procedure for appeal and the deadline for filing an appeal.

19.20.180 - Appeals.

- A. Standing. The following parties have standing to appeal final decisions:
 - 1. The director.
 - 2. The applicant.
 - 3. Any owner of the property subject to the application.
 - 4. Any party of record.
- B. Necessary parties. The following are parties to any appeal:
 - 1. The director.

2. The applicant.
 3. Any owner of the property subject to the application.
- C. Permissive joinder. The hearing body may add a party with standing to the appeal, after the appeal deadline has passed, upon the request of the party.
- D. Time to file. An appeal is timely only if it is:
1. Filed with the City Clerk within 14 calendar days after written notice of the decision is mailed; and
 2. Accompanied by the required appeal fee.
- E. Method of service. Appeals must be delivered to the City Clerk by mail or personal delivery before 5:00 p.m. on the last business day of the appeal period. Appeals received by mail after 5:00 p.m. on the last day of the appeal period will not be accepted, regardless when such appeals were mailed or postmarked.
- F. Contents. Appeals must be submitted on forms provided by the department and contain the following:
1. Appellant's name, address, and phone number.
 2. A description of the appellant's standing to appeal.
 3. Identification of the application or decision that is the subject of the appeal.
 4. Appellant's statement of grounds for appeal and the facts upon which the appeal is based, with specific references to the facts in the record.
 5. The specific relief sought.
 6. A statement that the appellant has read the appeal and believes the contents to be true, followed by the appellant's signature or the signature of the appellant's agent, provided such agent's authorization is in writing and accompanies the appeal.
- G. Automatic stay. Except for administrative appeals of SEPA threshold determinations, the timely filing of an appeal will stay the decision until such time as the appeal is concluded or withdrawn.
- H. Procedures. The appellate body may provide in its procedures for a decision on the appeal after a hearing where the parties present argument, or new evidence when allowed by this chapter; or after the parties submit written arguments.
- I. Decision on appeal. The appellate body must issue a written decision on the appeal supported by written findings and conclusions, and the department must distribute a revised Notice of Decision incorporating the decision on appeal.

19.20.190 - Remand.

- A. In the event that the appellate body determines that the public hearing record is insufficient or otherwise flawed, the appellate body may remand the matter back to the original decision-maker to correct the deficiencies.
 - 1. The appellate body must specify the items or issues to be considered and the time frame for the additional work.
 - 2. The original public hearing may be re-opened if necessary for the limited purpose of addressing specific questions articulated by the appellate body.
 - 3. Only the parties of record to the open-record hearing, or in the case of an appeal, the parties to the appeal, may participate in the remand.
- B. The original decision-maker must affirm, modify, or reverse its original action based on the revised public record.

19.20.200 - Reconsideration.

- A. A party to the underlying decision may seek reconsideration only of a final decision by filing a written request alleging specific errors on a form provided by the department within 10 days of the date of decision.
- B. The decision-maker must consider the request without public comment or argument by the party filing the request. Reconsideration may be granted only when a material legal error has occurred or a material factual issue has been overlooked that would change the previous decision.
 - 1. If the request is denied, the previous action will become final.
 - 2. If the request is granted, the decision-maker may revise and reissue its decision or may call for argument in accordance with the procedures for closed-record appeals. If the decision is revised and the decision requires a Notice of Decision, the department must distribute the revised notice.

19.20.210 - Exhaustion of administrative remedies.

- A. No further administrative appeals are available when the final appeal shown in AMC 19.20.030 has been heard.
- B. A request for reconsideration is not required to exhaust administrative remedies.

19.20.220 - Departures.

- A. Overview and purpose. This title provides for a number of specific departure opportunities to development standards. The purpose 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 established for the particular departure opportunity.
- B. Departures are voluntary. This provision allows the flexibility for applicants to propose alternative designs on a voluntary basis, provided they meet the purpose of the standard and applicable departure criteria as noted above.
- C. Applicability. Departure opportunities are available only where noted for specific standards.
- D. Procedures. Permit applications that include departure requests go through the standard review procedures in this division depending on the application type.
- E. Approval criteria. Project applicants must successfully demonstrate to the decision-maker how the proposed departure meets the purpose(s) of the standard and other applicable departure criteria that applies to the specific standard.
- F. Documentation. The decision-maker must document the reasons for approving all departures (to be maintained with project application records) for the purpose of providing consistency in decision-making by the city.

19.20.230 - Framework development plans.

- A. Purpose and applicability.** Framework development plans apply to proposals to establish block frontage designations as established in AMC 19.61.180, adjust the list of permitted uses where specifically allowed in this title, and/or to obtain preliminary approval for a large and/or phased development proposal that depicts its major development and design parameters (i.e. major circulation and infrastructure systems, open spaces, block frontage designations, allocation of categories of land uses and development intensities among portions of the development site, and phasing of development over time).
- B. Procedures.** Framework development plan applications are subject to review procedures as established in AMC Chapter 19.20 Application Procedures. A framework development plan may be submitted and reviewed concurrently with other applications.
- C. Application requirements.** An application must be submitted on forms provided by the department and must demonstrate compliance with the approval criteria described in this section.
- D. Changes to approved framework development plan.** Subsequent development applications may incorporate minor changes to locations of circulation routes provided they meet the purposes of the plan, the Anacortes Comprehensive Plan, and applicable code sections. This also means that the changes would not significantly alter the development’s general function, form, intensity, character, demand on public facilities, and impact on adjacent properties.
- E. Review criteria.**
 - 1. Plans must meet the goals and policies of the Anacortes Comprehensive Plan.
 - 2. Plans must meet the purposes and standards in AMC 19.61.180.
 - 3. Proposed layouts and circulation routes are consistent with the purposes and standards of AMC 19.54.020 (Block design and connectivity standards), AMC 19.62.050 (Internal pedestrian access and design), and AMC 19.62.060 (Vehicular circulation and parking).

- F. Conditions authorized.** In approving a framework development plan, the decision-maker may impose, in addition to regulations and standards expressly specified in this code, other conditions necessary to ensure compatibility with the review criteria associated with the specific proposal(s). These conditions may include, but are not limited to:
1. Placing restrictions on permitted uses.
 2. Integrating design parameters on circulation and streetscape design elements.
 3. Integrating supplemental building massing standards.
 4. Integrating supplemental screening and landscaping standards.
- G. Recording.** The framework development plan must be recorded with the Skagit County Auditor's office prior to the issuance of a building permit for any development on the site. The recorded framework development plan must be a covenant running with the land and shall be binding on the assigns, heirs and successors of the applicant. The framework development plan must be in a form approved by the Director and the City Attorney.

Chapter 19.22 - CONCURRENCY

19.22.010 - Purpose.

- A. To ensure that transportation improvements or strategies to accommodate the impacts of development are provided concurrent with the development
- B. To ensure that public facilities and services necessary to support development will be adequate to serve the development without decreasing service levels below adopted minimum standards.
- C. Concurrency for most urban public facilities and services is assured by the manner in which the city comprehensive plan and its functional plans are integrated, implemented and monitored. The following public facilities and services, termed “concurrency facilities and services,” however, need to be analyzed on a site-specific basis: **water, waste-water, stormwater, transportation, police protection, and fire protection**. This chapter describes concurrency management systems for the city.
- D. To provide a framework for determining facilities and services needs and to provide a basis for meeting those needs through capital facilities planning.
- E. To provide for the evaluation of requests for development to ensure that adequate facilities can be provided within a reasonable time of the development impact.

19.22.020 - Definitions.

For the purposes of this chapter, the following words have the following meanings:

“Adequate” means at or above the adopted level of service standards.

“Available facility capacity” means capacity in a concurrency facility that is currently available for use without requiring facility construction, expansion or modification.

“Concurrency facilities and services” means facilities and services for which concurrency is required in accordance with the provisions of this chapter. **They are water, waste-water, stormwater, transportation, police protection, and fire protection.** The City of Anacortes is the service provider for all of these facilities and services for the entire area within its limits.

“Concurrency test” means the comparison of an applicant’s impact on concurrency facilities to the capacity of the concurrency facilities.

“Concurrent with development (concurrent)” means that improvements or strategies are in place at the time of development or that financial commitment is in place to complete the improvements or strategies within six years.

“Level of service (LOS) standard” means an established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need. For transportation, an A through F scale is frequently used to reflect level of service and to designate a LOS standard.

19.22.030 – Applicability

- A. This chapter applies to all development except the following:

- I. Development types which create no additional impacts on concurrency facilities or services including, but not limited to:
 - a. Any addition or accessory structure to a residence with no change in use or increase in the number of dwelling units.
 - b. Interior renovations with no change in use or increase in number of dwelling units.
 - c. Interior completion of a structure for use(s) with the same or less intensity as the existing use or a previously approved use.
 - d. Replacement structure with no change in use or increase in number of dwelling units.
 - e. Temporary construction trailers.
 - f. Driveway, resurfacing or parking lot paving.
 - g. Reroofing of structures.
 - h. Demolitions.
 - i. Any other permit or approval that the Director determines has no impact on a concurrency facility or service.
- B. The following development permits are exempt from the requirements of this chapter:
 1. Accessory dwelling units.
 2. Boundary line adjustment.
 3. Final plats (if a concurrency test was conducted for the corresponding preliminary plat permit).
 4. Rezone.
 5. Street vacation.
 6. Temporary use permit.
 7. Variance.

19.22.040 – Project concurrency review.

- A. Development is prohibited, and all applications therefore must be denied, if the development would cause the level of service on a concurrency facility or service to decline below adopted levels of service standards, unless the improvements or strategies to accommodate the new development are made concurrent with the development, subject to the provisions of subsection 19.22.050(C).
 1. For potable water, sewer/on-site sewage disposal and stormwater management, only available capacity or capacity that can be provided prior to the actual use of the facility will be used.
- B. If a proposed development would cause the level of service to decline below adopted level of service standards for an affected facility, the proposed development may nonetheless be approved if the Director finds that an improvement will be completed that will result in meeting adopted level of service standards of all affected concurrency facilities at the time of development, or that a financial commitment is in place to complete the improvement or implement the strategy within six years.
- C. All development approvals must include a finding as to the application of this chapter, and those approvals for which concurrency improvements are required under this chapter must be expressly conditioned thereon.

19.22.050 – Concurrency test.

- A. In conducting the concurrency test, the City must use the level of service standards adopted in the Capital Facilities Element of the Comprehensive Plan.
- B. Procedures. The concurrency test for concurrency facilities will be performed in the processing of the development permit and conducted by the Department in consultation with the Public Works Department.
- C. Test. Development applications must comply with either subsection (C)(1) or (C)(2) below:
 - 1. If the capacity of concurrency facilities is equal to or greater than the capacity required to maintain the level of service standard for the impact from the development application, the concurrency test is passed and is to be documented by the Director.
 - 2. If the available facility capacity of concurrency facilities is less than the capacity required to maintain the level of service standard for the impact from the development application, the concurrency test is not passed. The applicant may:
 - a. Accept a ninety-day reservation of available facility capacity on concurrency facilities and modify the application to reduce the need for planned facility capacity on concurrency facilities;
 - b. Accept a ninety-day reservation of available facility capacity on concurrency facilities and demonstrate to the service provider's satisfaction that the development will have a lower need for capacity than usual and, therefore, the available facility capacity is adequate;
 - c. Accept a ninety-day reservation of available facility capacity on concurrency facilities and arrange with the service provider for the provision of the additional capacity of concurrency facilities required; or
 - d. Appeal the results of the concurrency test in accordance with the procedures for the applicable underlying permit, per AMC 19.20.030.

19.22.060 – Phased development.

- A. When a development is proposed in phases, or construction is proposed to occur over a period greater than three years, concurrency facilities and services impacts must be reviewed as part of environmental review.
- B. The city and the proponent of the development must enter into an agreement identifying the improvements or strategies that will be required with each phase or time period of development to meet the concurrency facilities and service requirements.
- C. All implementing permits, including but not limited to subdivision and building permits, must be conditioned that the improvements identified in the agreement are made concurrent with construction during such phase or time period or that a financial commitment is in place to complete the improvements or strategies within six years of construction.

Chapter 19.28 - PERMIT REVISION & EXPIRATION

19.28.010 - Permit revision.

- A. Type of review. A major revision to an approved permit requires a new application. A minor revision to an approved permit may be approved by the director. The director may condition approval to ensure compliance with this section.
- B. Types of revisions.
1. A major revision is any revision other than a minor revision, or a revision that does not qualify as a minor revision when considered cumulatively with other minor revisions since initial issuance of the permit.
 2. A minor revision is a revision that does not:
 - a. Increase the area of the use by more than ten-percent;
 - b. Increase the intensity of the use in a way that significantly affects the surrounding area in terms of traffic, noise, hours of operation, parking, or other impacts;
 - c. Increase the number of lots, dwelling units, or density;
 - d. Decrease the quality or amount of open space;
 - e. Result in any significant environmental impact not adequately reviewed or mitigated by previous documents;
 - f. Expand onto property not included in the original proposal.
- C. A permit revision may not extend the time for expiration.

19.28.020 - Permit expiration.

- A. Expiration Schedule. Permits and approvals have the following initial terms until expiration, and may be extended the number of times indicated for the length of extension indicated.

Table 19.28.020 Permit terms and extensions.			
Type of Permit or Approval	Initial Term	Number of Allowed Extensions	Length of Each Extension
Boundary line adjustment	1 year to record	0	n/a
Building permits	18 months	1	18 months
Clearing, grading, grubbing	1 year to complete work	1	6 months
Conditional use permit	5 years to establish use	1	1 year
Fence permit	18 months	1	18 months
Framework development plan	No expiration, unless set forth in approved plan	n/a	n/a
Preliminary plat, short plat, binding site plan	Time to submit final plat is as established in RCW 58.17.140.	0	n/a
Reasonable use exception	5 years to establish use	1	1 year

Table 19.28.020 Permit terms and extensions.			
Type of Permit or Approval	Initial Term	Number of Allowed Extensions	Length of Each Extension
Shoreline exemption	1 year per SMP	0	n/a
Shoreline permits	2 years to commence construction; 5 years maximum. See WAC 173-27-090(4)	1	1 year
Sign permit	18 months	1	18 months
Site plan review	18 months to apply for building permit	1	18 months
Special use permit	See applicable code section		
Variance	5 years to establish use	1	1 year
Wetland delineation verification	5 years from city approval	0	n/a

- B. Shortening Permit Term. The City may, when issuing a decision, require a shorter expiration period than that indicated in subsection (A) when the nature of the specific development is such that the normal expiration period is unreasonable or would adversely affect the health, safety, or general welfare of people working or residing in the area of the proposal. The decision-maker may adopt time limits as a part of action on shoreline permits, in accordance with WAC 173-27-090.
- C. Commencement of Permit Term. The term for a permit will commence on the date of the final decision; except that in the event the decision is appealed, the effective date will be the date of decision on appeal. The term for a shoreline permit will commence on the effective date of the permit as defined in WAC 173-27-090.
- D. When Permit Expires.
1. A permit issued under this title will expire if, on the date the permit expires, the project sponsor has not performed the work indicated in Table 19.28.020-1 or fulfilled the requirements of the applicable permit.
 2. Exception. The initial permit term does not include the time during which a permit was not actually pursued by construction because of pending litigation related to the permit or because the applicant was diligently pursuing permits from other agencies necessary for construction.
- E. Extension of Land Use Applications. An extension may be granted by the director for one year if the applicant has attempted in good faith to complete the proposed development activity necessary to meet the conditions of approval.
- F. Extension of Shoreline Permits. In accordance with Section 18.16.130.

DIVISION 3 - PERMITS

Division 3 - Permits	57
Chapter 19.30 – SITE PLAN REVIEW	59
19.30.010 - Purpose.....	59
19.30.020 - Applicability.....	59
19.30.030 - Application requirements.....	59
19.30.040 - Review criteria.....	59
Chapter 19.32 - LAND DIVISIONS	61
19.32.010 - Purpose.....	61
19.32.020 - Applicability.....	61
19.32.030 - Preliminary land division approval - Application requirements.....	62
19.32.040 - Preliminary land division approval - Criteria for decision.....	63
19.32.050 - Procedures for review - Specific land division types.....	64
19.32.060 - Final plat application requirements.....	68
19.32.070 - Review criteria for approval of final subdivisions.....	71
19.32.080 - Subdivision alteration and vacation.....	71
19.32.090 - Violations - Penalty.....	71
Chapter 19.34 - BOUNDARY LINE ADJUSTMENTS	72
19.34.010 - Purpose.....	72
19.34.030 - Application requirements.....	72
19.34.020 - Review Criteria.....	72
19.34.050 - Final approval and recording.....	73
Chapter 19.36 - CONDITIONAL USES.....	74
19.36.010 - Purpose.....	74
19.36.020 - Applicability.....	74

19.36.030 - Application requirements.....	74
19.36.040 - Review Criteria.....	74
19.36.050 - Conditions authorized.....	75
Chapter 19.38 - VARIANCES.....	76
19.38.010 - Purpose.....	76
19.38.020 - Applicability.....	76
19.38.030 - Variance levels.....	76
19.38.040 - Review criteria.....	76

Chapter 19.30 – SITE PLAN REVIEW

19.30.010 - Purpose.

To ensure that site plans are reviewed to achieve the following purposes:

- A. Compliance with the provisions of the AMC and all other applicable laws.
- B. Coordination, as is reasonable and appropriate, with other known or anticipated development on private properties in the area and with known and anticipated right-of-way and other public projects in the area.
- C. The encouragement of proposals that embody good design principles that will result in high quality development on the subject property.
- D. The adequacy of streets and utilities in the area of the subject property to serve the anticipated demand from the proposal.
- E. Determination that the proposed street access to the subject property is the **suitable** location and configuration for access.
- F. **To ensure that low impact development (LID) principles and best management practices (BMPs) are integrated into site design.**

19.30.020 - Applicability.

- A. All non-subdivision development proposals will be subject to site plan review and approval except: repair, maintenance, and interior remodeling.

19.30.030 - Application requirements.

- A. An application must be submitted to the department on forms provided by the department and include applicable fees and all required information in the application submittal checklist.
- B. Site plan review applications are reviewed per AMC Chapter 19.20 Application Procedures.
- C. The department may optionally request a three-dimensional visualization of proposed development that will exceed a building height of **40-feet to help determine compliance with applicable building design standards (AMC Chapter 19.63).**

19.30.040 - Review criteria.

- A. Conformance with all other applicable laws, ordinances and regulations.
- B. Conformance with AMC Chapter 15.32 Underground Utilities.
- C. Conformance with AMC Chapter 19.22 Concurrency.
- D. Conformance with the applicable zoning provisions of Division 4, including:
 - 1. AMC Chapter 19.41 Allowed Uses.
 - 2. AMC Chapter 19.42 Form & Intensity Standards.
 - 3. The applicable use standards of AMC Chapters 19.43-48.

- E. Conformance with the applicable community design provisions of Division 5, including:
 - 1. AMC Chapter 19.51 Public Street Improvements Required.
 - 2. AMC Chapter 19.52 Public Street Design.
 - 3. AMC Chapter 19.53 Private Driveways & Access.
 - 4. AMC Chapter 19.54 Subdivision Design & Block Structure.
- F. Conformance with the applicable project design provisions of Division 6, including:
 - 1. AMC Chapter 19.61 Block Frontage Standards.
 - 2. AMC Chapter 19.62 Site Planning.
 - 3. AMC Chapter 19.63 Building Design.
 - 4. AMC Chapter 19.64 Parking.
 - 5. AMC Chapter 19.65 Landscaping.
 - 6. AMC Chapter 19.66 Fences, Walls & Hedges.
 - 7. AMC Chapter 19.67 Signs.
 - 8. AMC Chapter 19.69 Standards, Generally.
- G. Conformance with other applicable environmental provisions, including:
 - 1. AMC Chapter 17.70 Critical Area Regulations.
 - 2. AMC Chapter 18.04 State Environmental Policy Act.
 - 2. AMC Chapter 18.16 Shoreline Master Plan.
 - 3. AMC Chapter 19.76 Stormwater.
 - 4. AMC Chapter 19.78 Clearing & Grading.

Chapter 19.32 - LAND DIVISIONS

19.32.010 - Purpose.

- A. To provide criteria, regulations, processes, and standards to govern the division of land within the city.
- B. To ensure that public facilities and services necessary to support development are adequate to serve development at the time development occurs.
- C. To promote the public health, safety, and general welfare of the city in accordance with standards established by the state subdivision law, as established by RCW 58.17.010.
- D. To guide the future growth and development of the city in accordance with the goals and policies of Anacortes Comprehensive Plan.

19.32.020 - Applicability.

- A. This chapter applies to all divisions or redivisions, of land applied for after the effective date of the ordinance codified in this chapter, except as listed in subsection (B) below. Subdivisions, short subdivisions, binding site plans, unit lot subdivisions, plat alterations, and plat vacations are all considered divisions or redivisions of land for purposes of this chapter.
- B. This chapter does not apply to:
 - 1. Cemeteries and other burial plots while used for that purpose.
 - 2. Divisions of land into lots or tracts each of which is five acres or larger if the land is not capable of description as a fraction of a section of land, including the area bordering on a street or road which would be bounded by the centerline of the street or road and the side lot lines of the lot running perpendicular to such center line.
 - 3. Divisions made by testamentary provisions, or the laws of descent.
 - 4. Divisions for the purpose of lease when no residential structure other than manufactured homes or travel trailers are permitted to be placed upon the land and an enforceable, binding site plan has been approved in accordance with the binding site plan provisions of this chapter, and which:
 - a. Identifies and shows the areas and location of all streets, roads, improvements, utilities, and open spaces.
 - b. Contains inscriptions or attachments setting forth the limitations and conditions for the use of the land as are established by the City Council.
 - 5. Divisions made in connection with acquisition of land by the city, including divisions made by deed for road widening purposes, provided that such land may be accepted on behalf of the city by action of City Council.
 - 6. Adjustments of boundary lines in accordance with AMC Chapter 19.34 Boundary Line Adjustments.
 - 7. Divisions of land into lots or tracts less than three acres that is recorded in accordance with 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities per RCW 58.17.040(9).

8. Divisions of land for the purpose of leasing land for facilities providing personal wireless services while used for that purpose.
9. Divisions of land for the purpose of dedicating to the public such tracts of lands for open spaces, drainage ways, roads, alleys, easements, parks, playgrounds, sites for schools, school grounds, water supplies, sanitary wastes and other general purposes that may be required to protect the public health, safety and welfare.
10. Condominiums, pursuant to RCW 58.17.040(7).

19.32.030 - Preliminary land division approval - Application requirements.

- A. Preliminary approval. All land division applications must be submitted in conformance with AMC 19.20.110 and contain the following:
 1. Application. A completed application form and application fees.
 2. Title report. A title report issued within 30 days of application, showing all persons having ownership interest, a legal description describing exterior boundary of the land to be subdivided and listing all encumbrances affecting the land.
 3. SEPA. A completed and signed environmental (SEPA) checklist if the division of land is not exempt under WAC 197-11-800.
 4. Grading. A preliminary grading plan in accordance with AMC Chapter 19.78 Clearing & Grading and showing proposed cuts and fills for public improvements and private development, including transitions between the subject and adjacent properties.
 5. Stormwater.
 - a. A preliminary stormwater management plan including runoff calculations, documentation that the minimum technical requirements of the Stormwater Management Manual for Western Washington, as adopted by the city, have been met, upstream and downstream analysis, a maintenance plan for any new stormwater facilities and existing and proposed drainage facilities for the site and adjacent areas as specified by the engineer, and feasibility analysis of using LID facilities, all consistent with AMC Chapter 19.76 Stormwater.
 - b. The results of a (wet and dry season) soil analysis of the project site to determine the feasibility of on-site stormwater infiltration.
 6. A tree preservation plan with AMC Chapter 16.50 Tree Preservation.
 7. Supplemental studies and reports. Any related information and/or studies identified in the preapplication conference meeting, or deemed necessary by the director, including but not limited to a traffic study, geotechnical report, critical areas report and mitigation plan, landscape plans.
 8. Preliminary plans. A set of full size plans containing the following information (multiple sheets may be used in order to provide clarity):
 - a. The name of the proposed project, if any.
 - b. The name, address, seal and signature of the land surveyor who prepared the preliminary plat map.
 - c. The date the preliminary plat map was prepared or revised, the scale, north arrow, and quarter section, section, township and range.

- d. Full and correct legal description of lands being subdivided.
 - e. A vicinity sketch clearly showing the location of the property.
 - f. Accurate lines to scale showing the parcel to be subdivided, the block lines, and the lot lines.
 - g. Dimensions and numbers or description for each lot and tract.
 - h. Total acreage and square-feet of land to be divided and the land area by acreage and square-feet of each of the proposed lots.
 - i. Density calculations indicating maximum and minimum density requirements, if applicable, for the proposal and including density bonus calculations, if applicable.
 - j. Existing zoning and zoning boundaries on the site and immediately adjacent property.
 - k. Municipal boundaries, township lines, and section lines.
 - l. Setback lines for all proposed lots having unusual shape, steep topography, critical areas, wetlands or other environmental or unusual limitations on its building site.
 - m. Location, width, and names of all existing and proposed streets or other public ways within or adjacent to the proposed subdivision. Road profiles may be required.
 - n. Location of existing and proposed improvements such as stormwater facilities, sidewalks, utilities, power poles, etc., within the boundaries of the lands being subdivided and adjacent lots and right-of-way.
 - o. Location of existing and proposed easements or tracts to be dedicated for any public purpose or for the common use of the property owners of the lands being divided.
 - p. Location of existing structures, septic tanks, drain fields, wells and other improvements located on the site and within 50-feet of the development; and whether such structures are proposed to remain on the property.
 - q. Shorelines and critical areas as defined in AMC Chapter 17.70 Critical Area Regulations and AMC Chapter 18.16 Shoreline Master Plan.
 - r. A current topographic survey. Contour lines in areas to be developed must be at two-foot intervals, or as specified by the city engineer. Five-foot intervals may be used in areas not to be developed. All contour lines must be extended into adjacent properties at least 300-feet to show the topographical relationship of adjacent property to the proposed development.
 - s. A legend identifying all existing and proposed boundary lines, buffers, drainage facilities and utilities, roadway sections, erosion control facilities, grading and critical areas, landscape features, and other required items specified above.
 - t. A stormwater site plan prepared pursuant to SWMMWW Vol. I Technical Requirements December 2014 Chapter 3 – Preparation of Stormwater Site Plans, or comparable requirements in a later SWMMWW as amended by the Washington Department of Ecology.
9. Reduced-size plans. A reduced size vicinity map and site plan showing proposed lot layout (suitable for public notice purposes).
10. Detailed requirements. The director is authorized to provide more detailed requirements for each of the items required for submittal of a complete preliminary plat or final plat application, including size, scale, number of copies, and content.

19.32.040 - Preliminary land division approval - Criteria for decision.

Each proposed preliminary land division must be reviewed to ensure that:

- A. The proposal conforms to the requirements of this chapter and RCW 58.17.
- B. The proposal conforms to the form and intensity standards in AMC Chapter 19.42 Form & Intensity Standards for the zone in which the property is located. Proposals using the unit lot subdivision process must conform to the applicable use standards for the proposed use type in AMC 19.43.010.
- C. The proposal conforms to the community design standards in AMC Division 5, including:
 - 1. AMC Chapter 19.51 Public Street Improvements Required.
 - 2. AMC Chapter 19.52 Public Street Design.
 - 3. AMC Chapter 19.53 Private Driveways & Access.
 - 4. AMC Chapter 19.54 Subdivision Design & Block Structure.
- D. The proposal conforms to the standards of:
 - 1. AMC Chapter 16.50 Tree Preservation.
 - 2. AMC Chapter 17.70 Critical Area Regulations.
 - 3. AMC Chapter 19.22 Concurrency.
 - 4. AMC Chapter 19.76 Stormwater, including stormwater infiltration when feasible.
- E. The proposed short subdivision, binding site plan, unit lot subdivision, or preliminary subdivision:
 - 1. Makes adequate provision for parks, recreation, and playgrounds.
 - 2. Makes adequate provision for schools and school grounds.
 - 3. Makes adequate provisions for sidewalks and other planning features that meet the requirements of this title and that provide safe walking conditions for students who walk to and from school.
 - 4. Serves the public interest and makes appropriate provisions for the public health, safety, and welfare.
- F. Lack of compliance with the criteria in subsections (A) through (E) above will be grounds for denial of a proposed short subdivision, binding site plan, unit lot subdivision, or preliminary long subdivision, or for the issuance of conditions necessary to more fully satisfy the criteria.
- G. Phasing. Where a subdivision is to be developed in phases with a final plat approved and recorded separately for each phase, the following applies:
 - 1. The applicant must request approval of phasing in the preliminary subdivision application.
 - 2. Each separate phase is required to meet the requirements of the criteria above and all other applicable city codes when considered independently from any other phase.
 - 3. Where an applicant requests phasing after preliminary subdivision approval has been granted, phasing may be approved only through modification of the preliminary subdivision approval using the preliminary subdivision approval procedures in AMC 19.20.030.

19.32.050 - Procedures for review - Specific land division types.

A. Preliminary short subdivision procedures.

- 1. Approval process. Short subdivisions follow the procedures established in AMC 19.20.030.

2. Effect of preliminary approval. Preliminary approval constitutes authorization for the applicant to develop the required facilities and improvements, upon review and approval of construction drawings by the Public Works Department. All such facilities and improvements must be completed or have a performance assurance posted to assure completion as provided in AMC 19.51.070, prior to recording of the short subdivision. All development of a short subdivision must be subject to any conditions imposed by the city on the short subdivision approval.
3. Revision and expiration. Short subdivisions follow the revision and expiration procedures established in AMC 19.28.010.
4. Recording. All short subdivisions must be recorded in compliance with the following:
 - a. Prior to recording, the applicant must submit the final short plat map to the city for signatures per AMC 19.32.050(C) and 19.32.060.
 - b. Recording required. No short subdivision may be recorded unless approved as provided in this chapter. A copy of an approved short subdivision must be filed for record with the Skagit County Auditor, and one reproducible copy must be furnished to the city.
5. Restriction on further division. Land within an approved and recorded short subdivision may not be further subdivided within a period of five years from the date of final approval if such further division would result in more than nine lots within the original short subdivision boundaries. Any division that would result in more than nine lots within the original short subdivision within the five-year period may be accomplished only by following the process for preliminary and final subdivision approval in this section.

B. Preliminary long subdivision procedures.

1. Approval process. Preliminary long subdivisions follow the procedures established in AMC 19.20.030.
2. Effect of preliminary approval. Preliminary approval constitutes authorization for the applicant to develop the required facilities and improvements, upon review and approval of construction drawings by the Public Works Department. All development must be subject to any conditions imposed by the city on the preliminary long subdivision approval.
3. Revisions and expiration. Long subdivisions follow the revision and expiration procedures established in AMC 19.28.010.

C. Final subdivision procedures.

1. Final plats must be submitted in accordance with AMC 19.32.060-.070.
2. Review. The final plat must be reviewed to assure that the following have been completed:
 - a. The proposed final plat meets all standards established by state law and this section relating to the final plat's drawings and subdivision improvements.
 - b. The proposed final plat bears the certificates and statements of approval required by this section.
 - c. A current title insurance report furnished by the subdivider confirms the title of the land in the proposed subdivision is vested in the name of the owners whose signatures appear on the final plat.
 - d. The legal description of the plat boundary on the current title insurance report agrees with the legal description on the final plat.

- e. The facilities and improvements required to be provided by the subdivider have been completed or, alternatively, that the subdivider has provided a surety in an amount commensurate with improvements remaining to be completed per AMC 19.51.070.
 - f. The surveyor has certified that all survey monument lot corners are in place and visible.
 - g. The final plat contains a dedication to the public of all common improvements, including but not limited to streets, roads, sewage disposal systems, storm drainage systems, and water supply systems which were a condition of approval. The intention to dedicate must be evidenced by the owner's presentment of a final plat showing the dedication, and the acceptance by the city must be evidenced by the approval of the final plat.
3. Review of final long subdivisions. The city council must review the final plat at a public meeting, according to the review criteria for final plats in AMC 19.32.070. No public hearing is required. If the City Council approves the final plat, the Mayor is authorized to inscribe and execute the written approval on the face of the plat map. If the City Council denies the final plat, the final plat will be returned to the applicant with reasons for denial and conditions for compliance.
 4. Review of final short subdivisions. The Director must review the final short plat according to the criteria for final plats set forth in AMC 19.32.060.
 5. Recording. All final plats must be recorded in compliance with the following:
 - a. Fees and performance assurance. Prior to recording, the applicant must submit the original final plat drawings to the Public Works Department together with the plat checking fees. Unless all required improvements have been constructed prior to final plat approval, the applicant must also submit all required performance assurances to guarantee completion of the improvements as required by AMC 19.51.070.
 - b. Recording required. No final plat may be recorded unless approved as provided in this section. The original of an approved final plat must be filed for record with the Skagit County Auditor.
 - c. Time limit. All final plats must be recorded within 60 days after final approval is granted by the city. Approval must expire if the final plat is not recorded within this period.

D. Unit lot subdivisions.

1. Approval process. Unit lot subdivisions follow the procedures established in AMC 19.20.030 for short subdivision or long subdivision, according to the number of unit lots proposed. Final unit lot subdivisions of ten or more lots follow the procedures for final long subdivision in subsection (C).
2. Compliance with prior approvals. Sites developed or proposed to be developed with duplexes, triplexes, cottages and townhouses per the standards in AMC 19.43.010 may be subdivided into individual unit lots as provided herein. The development as a whole must conform to the regulations applicable to the site and zone and to applicable plans that were granted approval through provisions of this code.
3. Development on individual unit lots is not required to conform with all development standards that typically apply to individual lots as long as the parent lot conforms to all such development standards.
4. Subsequent platting actions, additions, or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.
5. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the

homeowners' association must be executed for use and maintenance of common garage, parking and vehicle access areas; underground utilities; common open space; exterior building façades and roofs; and other similar features, must be recorded with the Skagit County Auditor.

6. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use the parking is formalized by an easement recorded with the Skagit County Auditor.
7. Notes must be placed on the face of the plat or short plat as recorded with the Skagit County Auditor to acknowledge the following:
 - a. Approval of the design of the unit on each of the lots was granted by the review of the development, as a whole, on the parent lot per the standards of AMC Chapter 19.43 Residential Uses.
 - b. Development, redevelopment, or rehabilitation of structures on each unit lot is subject to review and approval of plans that are consistent with the design of the surrounding structures on the parent lot as approved by the city through subject file number as stated in subsection (D)(7)(a) above.
8. Effect of preliminary approval. Preliminary approval constitutes authorization for the applicant to develop the required facilities and improvements, upon review and approval of construction drawings by the Public Works Department. All development must be subject to any conditions imposed by the city on the preliminary approval.
9. Revision and expiration. Unit lot subdivisions follow the revision and expiration procedures established in AMC 19.28.010.

E. Binding site plans.

1. Division of land using the binding site plan process is limited to:
 - a. Divisions for sale or lease of property in mixed-use or industrial zones.
 - b. Divisions for the purpose of lease when no residential structures other than manufactured homes or travel trailers are permitted to be placed on the land.
 - c. Divisions of land into lots or tracts made under the provisions of the Horizontal Properties Regimes Act (RCW Ch. 64.32) or the Condominium Act (RCW CH. 64.34).
2. Approval process. Binding site plans follow the procedures established in AMC 19.20.030.
3. Post-approval requirements. The following requirements apply to proposals submitted under this section:
 - a. All provisions, conditions, and requirements of the binding site plan are legally enforceable on the purchaser or any person acquiring a lease or other ownership interest of any lot, parcel, or tract created pursuant to the binding site plan. A sale, transfer, or lease of any lot, tract, or parcel that does not conform to the requirements of the binding site plan approval, will be considered a violation of this chapter.
 - b. All development must be in conformity with the approved binding site plan and any existing or subsequent applicable permit approval. Each binding site plan document must reference the requirement for compliance with any existing or subsequent permit approval.
 - c. Revision and expiration. Binding site plans must follow the revision and expiration procedures established in AMC 19.28.010.

- d. Approved binding site plans may contain any easements, restrictions, covenants, or conditions as would a subdivision approved by the city.

4. Recording requirements.

- a. Prior to recording, the applicant must submit the final binding site plan to the city for signatures
- a. No binding site plan may be recorded unless approved as provided in this chapter. A copy of an approved binding site plan must be filed for record with the Skagit County Auditor, and one reproducible copy must be furnished to the city. If the binding site plan is not recorded within 60 days of approval, the approval must expire.

19.32.060 - Final plat application requirements.

- A. Applications for final plat approval will be accepted only when all of the following conditions have been satisfied:
 - 1. All plans, specifications, as-built drawings, and documents relating to required public improvements have been approved and accepted by the city engineer.
 - 2. All deeds, conveyances, covenants, dedications, indemnities, restrictions, and agreements have been approved by the City Attorney.
 - 3. All fees are paid and accepted, all voluntary contributions are accepted and approved, and all security devices are approved and effective.
 - 4. All improvements and other conditions required by the preliminary plat approval have been installed and approved, or have been bonded in accordance with this Title.
 - 5. All sewage disposal, water supply, stormwater and other utility systems are functioning properly and are determined to be adequate.
 - 6. All required certifications by the owner, financial institutions, and surveyor are signed.
 - 7. A title report, completed within 30 days preceding submittal of a complete final plat, is provided showing ownership and all other interests in the land described and shown on the final plat is in the name of the person signing the owner's certificate.
 - 8. A completed Stormwater Site Plan and a Stormwater Maintenance Plan for all stormwater elements of the plat.
- B. Final plat maps must be prepared in accordance with the following:
 - 1. A land surveyor registered in the state of Washington must prepare or supervise the preparation of the final plat, pursuant to RCW 58.04.003, and must certify and sign the map.
 - 2. A land surveyor registered in the State of Washington must survey the land to be divided, and as much of the sections in which the land is located as is needed to properly orient the land within the sections. The survey must comply with applicable state and city standards.
- C. The following information must be included on all final plat maps:
 - 1. The full and complete legal description of all land included in the plat.
 - 2. The name of the plat.
 - 3. Locations and names, without abbreviation, of all streets, public areas, and easements within and adjoining the plat.

4. True north point on each sheet which depicts property included in the plat
5. The scale, uniform and of sufficient size for good legibility, on each sheet which depicts property included in the plat
6. The length and bearings of all straight lines, radii, arcs and semi-tangents of all curves.
7. Centerline data on streets and easements, including bearings and distances.
8. All dimensions along the lines of each lot and tract, in feet and decimals of a foot to the nearest hundredth, with the true bearings and any other data necessary for the location of any boundary line in the field.
9. Centerline data, width and sidelines of all easements, restrictions, and rights-of-way to which lots and tracts are subject.
10. Easements for storm drains, sewers, utilities and all other purposes must be denoted by broken lines.
11. The maximum impervious surface allowed for each lot.
12. Provisions approved by the city attorney, ensuring access to storm drainage facilities and public access to trails or sidewalks if required as a condition of preliminary plat approval.
13. Contiguous plats, by name or if unplatted, so noted.
14. City and county boundaries crossing or adjoining the subdivision.
15. All lots must be numbered in sequence and provided with an address as provided by the City's address coordinator.
16. Each lot must be shown entirely on one sheet.
17. All points which were used as ties to establish the boundaries of the tract.
18. The location, size and shape of all permanent control monuments found and established at the controlling corners on the perimeter and within the plat and all monuments or other evidence used as ties to establish the plat boundaries.
19. Accurate boundaries of all areas to be dedicated or reserved for public use or to be committed for the common use of property owners within the subdivision. All dedications and reservations must be stated on the plat together with appropriate recording references as required by the director.
20. All required dedications, endorsements, covenants, affidavits, and certificates must be stated and shown on the face of the plat.
21. The section, township and range.
22. Conditions of approval of the preliminary plat including but not limited to dedications, reservations, open space tracts, critical areas and buffers, LID features, stormwater requirements and homeowners' association obligations.
23. Homeowners' association documents, condominium declarations, and other similar documents required or permitted by the preliminary plat.
24. Names and addresses of subdivider(s) and surveyor(s) on each sheet.
25. The number of the sheet and total number of sheets on each sheet.
26. Other information the director deems necessary.

- D. Certificates. The following certificates must be shown on the final plat map. Certifications by the owner, financial institutions and surveyor must be signed before the final plat is submitted for city signatures.
1. Surveyor. The surveyor's seal and signature on the plat along with a statement certifying that:
 - a. The plat was prepared by the surveyor or under their supervision;
 - b. The plat is a true and correct representation of the land and has been thoroughly surveyed as required by this chapter;
 - c. The legal description is a full and correct description of the land to be divided; and
 - d. Monumentation and lot corner stakes as required by the city engineer and this chapter have been or will be set.
 2. Owner. The owner of any interest in and the holder of any lien or encumbrance upon the land proposed for subdivision must certify that the proposed final plat is submitted with their consent and there is no objection thereto.
 3. Dedications. A statement and certificate of dedication by the owner, acknowledged by a notary, and acceptable to the city attorney, for all areas to be dedicated to or for the benefit of the public. This includes dedication of City stormwater facilities and access easements when required by AMC Chapter 19.76 Stormwater.
 4. Owner's covenant. The owner must grant to the city a covenant acceptable to the city and releasing, indemnifying and holding the city harmless from any and all claims for damages, liabilities, or injunctive relief of whatever nature arising from the design, construction, operation and maintenance of the plat and all associated improvements.
 5. Waiver of access. If required by the conditions of preliminary plat approval, a waiver by the owner of direct access to any street from any property.
 6. Roads not dedicated. A statement by the owner and clear visual indication on the plat of every street, way, road, sidewalk or the similar facility that is not dedicated to the public, and specifying the maintenance and inspection responsibility therefor.
 7. City engineer. A statement to be signed by the city engineer accepting the survey data, dedications and reservations, the layout of streets and other rights-of-way, design of bridges, sewage and water system, all other utilities, and all other public improvements.
 8. Director. A statement to be signed by the director that the final plat conforms to the approved preliminary plat and all conditions of the preliminary approval.
 9. County treasurer. A statement to be signed by the county treasurer that all taxes and assessments for which the land to be divided may be liable as of the date of the signing of the statement have been paid in full.
 10. City treasurer. A statement to be signed by the city treasurer that all assessments, fees and contributions have been paid in full or secured in accordance with this title.
 11. Council approval. For long subdivision final plats only, a statement that the City Council has approved the final plat, to be signed by the mayor and city clerk following final action of the City Council.
- E. The surveyor must set monuments at street intersections, lot and block corners, boundary angle points, points in curves in streets, points of tangents in streets, points of intersection in streets, controlling corners on the boundaries of land and at other points as required by the city engineer. The type of monument and method of setting will be specified by the city engineer.

19.32.070 - Review criteria for approval of final subdivisions.

No final subdivision may be approved unless the final subdivision:

- A. Substantially conforms to all terms, conditions, and provisions of preliminary approval.
- B. Contains a dedication to the public of all common improvements including but not limited to streets, roads, sewage disposal systems, storm drainage systems, and water supply systems which were a condition of approval. The intention to dedicate is evidenced by the owner's presentment of final plat showing the dedication, and the acceptance by the City is evidenced by the approval of the final plat.
- C. Meets the requirements of this chapter, applicable state laws, and all other local ordinances adopted by the City which were in effect at the time a complete application for the preliminary plat approval was filed.

19.32.080 - Subdivision alteration and vacation.

Requests for subdivision alterations or subdivision vacations are reviewed and processed according to the procedures and criteria outlined in RCW 58.17.212 thru .218.

19.32.090 - Violations - Penalty.

- A. Any violation of any provision of this chapter constitutes a civil violation under AMC Title 20 for which a monetary penalty may be assessed and abatement may be required as provided therein.
- B. This chapter must not be construed to relieve from or lessen the responsibility of any person owning any land or building, constructing or modifying any subdivisions in the City for damages to anyone injured or damaged either in person or property by any defect therein; nor may the City or any agent thereof be held as assuming such liability by reason of preliminary or final approval or by issuance of any permits or certificates authorized herein.

Chapter 19.34 - BOUNDARY LINE ADJUSTMENTS

19.34.010 - Purpose.

The purpose of this Chapter is to establish criteria for the review and approval of boundary line adjustments.

19.34.030 - Application requirements.

- A. An application must be submitted to the department on forms provided by the department and include applicable fees, Record of Survey, and all required information in the application submittal checklist.
- B. Boundary line adjustments are reviewed per AMC 19.20 Application Procedures.

19.34.020 - Review Criteria.

- A. A boundary line adjustment may be used to:
 - 1. Resolve boundary line issues, such as encroachments, between two lots.
 - 2. To consolidate two or more lots.
 - 3. Other minor adjustments to boundary lines that meet the requirements and purpose of this chapter.
- B. In order to approve a boundary line adjustment, the decision-maker must find that the boundary line adjustment will not:
 - 1. Create any additional lot.
 - 2. Alter the underlying plat pattern such as changing the general orientation of lots or lot access.
 - 3. Result in the entire relocation of lots from one area to another.
 - 4. Result in avoiding public improvement requirements that would be associated with a replat or other new land division approval, or an obligation to pay latecomer fees.
 - 5. Require the creation of new streets or private roads, or require dedication of public right-of-way, or creation of access easements.
 - 6. Diminish or impair existing or future drainage, water supply, or sanitary sewage disposal.
 - 7. Result in a lot that contains insufficient area and dimensions to meet the minimum lot size for the applicable zone.
 - 8. Amend or act contrary to the conditions of approval for property that is part of an existing plat or short subdivision.
 - 9. Result in a lot without adequate vehicular access, including access for emergency response vehicles.
 - 10. Result in a lot having more than one zoning or land use designation.
 - 11. Result in a lot located partially within the city limits and partially within unincorporated Skagit County.

- C. A proposed boundary line adjustment that does not meet all the criteria of this section is processed under the appropriate land division requirements (AMC Chapter 19.32 Land Divisions).

19.34.050 - Final approval and recording.

- A. The decision-maker is authorized and granted the discretion to require, as a condition of approval, that the boundary line adjustment record of survey include other relevant parcel boundaries and, site features.
- B. Approval of the boundary line adjustment is not final until all of the following requirements are met:
 - 1. There is compliance with the requirements of this chapter.
 - 2. The surveyor preparing the Record of Survey finds or sets monuments at all corners and angle points of the adjusted lots. At the discretion of the City, witness corners and reference monuments may be used when impracticable to monument the actual corners.
 - 3. Each adjusted lot must have a unique identifier on the Record of Survey that has not been previously used or associated, in any way, with the adjusted parcels.
 - 4. The County treasurer has certified that all taxes on the land have been fully paid and discharged consistent with applicable requirements.
 - 5. The record of survey is prepared by a Washington State licensed land surveyor in accordance with Chapter 332-130 WAC and Chapter 58.09 RCW.
 - 6. A final Record of Survey has been approved by the director and filed for record by the applicant with the Skagit County Auditor.

Chapter 19.36 - CONDITIONAL USES

19.36.010 - Purpose.

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

19.36.020 - Applicability.

The provisions of this chapter apply to all conditional uses.

19.36.030 - Application requirements.

A conditional use requires a permit. An application must be submitted on forms provided by the department and must demonstrate compliance with the conditional use criteria described in this chapter.

19.36.040 - Review Criteria.

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

19.36.050 - Conditions authorized.

- A. In permitting a conditional use, the decision-maker may impose, in addition to regulations and standards expressly specified in this code, other conditions necessary to ensure compatibility with the conditional use criteria.
- B. These conditions may include, but are not limited to:
 - 1. Requirements increasing the required lot size or setback dimensions.
 - 2. Increasing street widths, controlling the location and number of vehicular access points to the property.
 - 3. Increasing the number of off-street parking or loading spaces required.
 - 4. Limiting the coverage or height of buildings or structures or requiring screening and landscaping where necessary to reduce noise and glare and maintain the property in a character keeping with the surrounding area.
 - 5. Requirements under which any future enlargement or alteration of the use must be reviewed by the city and new conditions imposed.

Chapter 19.38 - VARIANCES

19.38.010 - Purpose.

The purpose of this chapter is to establish the criteria for a variance.

19.38.020 - Applicability.

- A. Generally, variances are allowed to grant relief from dimensional or numeric standards, including:
 - 1. Building size or height.
 - 2. Landscaping.
 - 3. Lot coverage;
 - 4. Minimum density or maximum lot size.
 - 5. Parking.
 - 5. Setbacks.
- B. Variances are not allowed for any of the following:
 - 1. Allowable, conditionally permitted, or prohibited uses in each zone.
 - 2. Maximum density or minimum lot size.
 - 3. Procedural or administrative provision of this Title.
 - 4. Any provision of this code which, by the express terms of that provision, is not subject to a variance.
 - 5. Any conditions of approval established during permit review.
 - 6. The provisions of AMC Chapter 17.70 Critical Area Regulations.

19.38.030 - Variance levels.

- A. Variances are categorized into two levels, as specified below or elsewhere in this Title.
 - 1. A Level 1 variance is any variance up to 25-percent of the numerical standard in question.
 - 2. A Level 2 variance is any variance that exceeds 25-percent of the numerical standard in question.
- B. A request for a variance must be reviewed as the highest level for which it qualifies.

19.38.040 - Review criteria.

- A. The City may approve or approve with modifications an application for a variance from the provisions of this code only if by preponderance of evidence, the applicant demonstrates that all of the following criteria are met:
 - 1. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone of the site.

2. The variance is necessary because of the unique size, shape, topography, or location of the site.
 3. The site is deprived, by the provisions of this code, of rights and privileges enjoyed by other properties in the vicinity and same zone as the site.
 4. The variance is the minimum necessary to provide the site with those rights and privileges.
 5. The need for the variance is not the result of deliberate actions of the applicant or property owner.
 6. Granting of the variance will not be materially injurious to the property or improvements in the vicinity and zone in which the site is located.
 7. The variance is not inconsistent with the purpose of the provision being varied.
- B. Conditions for granting. In authorizing the variance, the decision-maker may attach any conditions that it deems to be necessary or desirable in order to carry out the purposes of this chapter and in the public interest.
- C. Approval. If the variance application is approved, the applicant must record the variance against the property with the County Auditor on a form provided by the department and provide the department a copy of the recording.
- D. Transfer of ownership. A variance runs with the land. Compliance with the conditions of a variance is the responsibility of the current owner of the property, whether the applicant or a successor.

DIVISION 4 - ZONING AND LAND USES

Division 4 - Zoning and Land Uses 78

Chapter 19.40 - ZONES..... 82

19.40.010 - Generally.82

19.40.020 - Establishment of zones.83

19.40.030 - Residential zones established.....84

19.40.040 - Mixed-use zones established.....85

19.40.050 - Industrial zones established.....87

19.40.060 - Overlay designations established.88

19.40.070 - Zoning of annexed land.....88

Chapter 19.41 - ALLOWED USES 89

19.41.010 - Purpose.....89

19.41.020 - Classification of uses.....89

19.41.030 - Key to the use table.....89

19.41.040 - Principal uses permitted in residential zones.....91

19.41.050 - Principal uses permitted in mixed-use and industrial zones.....94

19.41.060 - Landmark buildings.98

19.41.070 - Public Use zone uses.98

19.41.080 - Aeronautical zone uses.98

19.41.090 - Overlay designation uses.101

Chapter 19.42 - FORM & INTENSITY STANDARDS 102

19.42.010 - Generally.102

19.42.020 - Form and intensity standards for residential zones.103

19.42.030 - Form and intensity standards for mixed-use and industrial zones.105

19.42.040 - Bonus incentives, generally.....	106
19.42.050 - Bonus incentives in the R4 zone.....	106
19.42.060 - Bonus incentives in the CM zone.....	108
19.42.070 - Bonus incentives in the MMU zone.....	110
19.42.080 - Minimum lot size calculations.....	114
19.42.090 - Minimum lot width circle calculation and exceptions.....	115
19.42.100 - Density calculations.	116
19.42.110 - Lot coverage calculations, exceptions, and modifications.	116
19.42.120 - Building height calculations, exceptions, and modifications.....	118
19.42.130 - Setback types and measurements.....	122
19.42.140 - Permitted projections into required setbacks.....	125
19.42.150 - Setback modifications.	126
19.42.160 - Old Town supplemental form and intensity standards.	126
19.42.170 - Aeronautical zone form and intensity standards.	127
19.42.180 - Public Use zone form and intensity standards.....	128
Chapter 19.43 - RESIDENTIAL USES.....	129
19.43.010 - Household living.	129
19.43.020 - Group living.	150
Chapter 19.44 - COMMERCIAL USES.....	152
19.44.010 - Day care.....	152
19.44.020 – General-service.	152
19.44.030 - Medical.	153
19.44.040 - Office.....	154
19.44.050 - Overnight lodging.....	154
19.44.060 - Parking.....	155
19.44.070 - Passenger terminal.	155

19.44.080 - Personal service.....	155
19.44.090 - Recreation, indoor.....	157
19.44.100 - Recreation, outdoor.....	159
19.44.110 - Restaurant/bar.....	161
19.44.120 - Retail sales.....	162
19.44.130 - Vehicle sales/rental.....	164
Chapter 19.45 - INDUSTRIAL USES.....	165
19.45.010 - Heavy industrial.....	165
19.45.020 - Light industrial.....	165
19.45.030 - Light manufacturing.....	166
19.45.040 - Research and development.....	166
19.45.050 - Self-service storage.....	167
19.45.060 - Warehouse and distribution.....	167
19.45.070 - Waste-related service.....	167
19.45.080 - Water-oriented industrial.....	168
19.45.090 - Wholesale trade.....	168
Chapter 19.46 - PUBLIC, INSTITUTIONAL & OPEN SPACE USES	170
19.46.010 - Agriculture.....	170
19.46.020 - Civic.....	171
19.46.030 - Parks, open space, and natural areas.....	173
19.46.040 - Utilities.....	174
Chapter 19.47 - ACCESSORY USES & STRUCTURES	175
19.47.010 - Generally.....	175
19.47.020 - Accessory structures.....	175
19.47.030 - Accessory dwelling unit (ADU).....	177
19.47.040 - Home occupations.....	180

19.47.050 - Caretaker residence	180
Chapter 19.48 - TEMPORARY USES	181
19.48.010 - Applicability.....	181
19.48.020 - Temporary use standards.....	181
Chapter 19.49 - NONCONFORMING USES & STRUCTURES.....	184
19.49.010 - Purpose.....	184
19.49.020 - General rule.....	184
19.49.030 - Enlargement, alteration, expansion or change of nonconforming uses.....	184
19.49.040 - Enlargement, alteration, reconstruction of nonconforming buildings and structures. .	185
19.49.050 - Abandonment	185

Chapter 19.40 - ZONES

19.40.010 - Generally.

A. Purpose.

The city is divided into zones to assist in orderly community development, conserve the value of property, and safeguard the public welfare by:

1. Implementing the Anacortes Comprehensive Plan policies through land-use regulations.
2. Providing for adequate public facilities and services in conjunction with development.
3. Providing an efficient and compatible relationship of land uses and zones.
4. Providing for a transportation system that offers greater options, mobility, safety, and access in support of the City's growth strategy.
5. Conserving the City's natural resources and attractions.

B. Establishment of the Official Zoning Map.

1. The location and boundaries of zones established by this title are shown and maintained as part of the City's Geographic Information System (GIS) under the direction of the director. The Zoning GIS layer constitutes the City of Anacortes's Official Zoning Map and is part of this title. All notations, references, and other information shown must have the same force and effect as if fully described in this title.
2. At the direction of City Council, the director is authorized to revise the Official Zoning Map. No unauthorized person may alter or modify the Official Zoning Map.
3. The Planning, Community & Economic Development Department must maintain digital or printed copies of the Official Zoning Map and maintain records of superseded official maps.

C. Zoning map interpretation. When uncertainty exists as to boundaries of any land use zone shown on the Official Zoning Map, the following rules apply:

1. Where a boundary is indicated as approximately following the center line of streets, alleys, railroads, or highways, the actual center line must be construed to be the boundary.
2. Where a zone boundary is indicated as approximately following the lot or tract lines and are map scaled at not more than 20-feet from the lot or tract lines, the actual lot or tract lines must be construed to be the boundaries of such zone.
3. Where a zone boundary divides a lot or tract, the boundary must be determined by map scaling unless the actual dimensions are shown on the map.
4. Where boundaries are indicated as following lines of ordinary high water, government or meander line, the lines must be considered to be the actual boundaries, and, if they should change, the boundaries must be considered to move with them.
5. Where a public right-of-way is vacated, the vacated area must have the zone classification of the adjoining property that it merges with.
6. Zone boundary determination. In case uncertainty exists which cannot be determined by application of the foregoing rules, a zoning boundary determination must be made as established in Table 19.20.030. The decision must be guided by the standards in subsections (1) through (5)

of this subsection, the intent and language of the Anacortes Comprehensive Plan, and the purpose statement of the zones where boundaries are in question.

19.40.020 - Establishment of zones.

1. Establishment of zones. In order to regulate uses of land, buildings and structures in conformance with the policies of the comprehensive land use plan, the city is divided into the residential zones in AMC 19.40.030, mixed-use zones in AMC 19.40.040, and industrial zones in AMC 19.40.050.
2. The purpose statements for each zone and map designation in the following sections must be used to guide the application of the zones and designations to all lands in the city. The purpose statements also must guide interpretation and application of land use regulations within the zones and designations, and any changes to the range of permitted uses within each zone through amendments to this title.

Table 19.40.020		
List of zones.		
Zone Name	Abbreviation	Comprehensive Plan Designation
RESIDENTIAL ZONES (AMC 19.40.030)		
Residential Low Density 1	R1	Residential Low Density 1
Residential Low Density 2	R2	Residential Low Density 2
Residential Low Density 2A	R2A	Residential Low Density 2
Residential Medium Density 3	R3	Residential Medium Density
Residential Medium Density 3A	R3A	Residential Medium Density
Old Town	OT	Old Town
Residential High Density 4	R4	Residential High Density
Residential High Density 4A	R4A	Residential High Density
MIXED-USE ZONES (AMC 19.40.040)		
Central Business District	CBD	Central Business District
Commercial	C	Commercial
Marine Mixed-Use	MMU	Marine Mixed-Use
Commercial Marine	CM	Commercial Marine
Commercial Marine 1 NOTE: This zone is being eliminated	CM1	
Commercial Marine 2	CM2	Commercial Marine
Public Use	P	Public Use
INDUSTRIAL ZONES (AMC 19.40.050)		
Light Manufacturing	LM	Light Manufacturing
Light Manufacturing I	LM1	Light Manufacturing
Manufacturing and Shipping	MS	Manufacturing and Shipping
Heavy Manufacturing	HM	Heavy Manufacturing
Industrial	I	Industrial

Table I9.40.020 List of zones.		
Zone Name	Abbreviation	Comprehensive Plan Designation
Aeronautical Zone	AZ	Aeronautical Zone
OVERLAY DESIGNATIONS (AMC I9.40.060)		
Medical Overlay	MED-O	Medical Overlay
Live/Work Overlay	LW-O	Live/Work Overlay
Mixed-Use Business Overlay	MUB-O	Mixed-Use Business Overlay

I9.40.030 - Residential zones established.

A. Residential Low Density I (RI)

1. This designation provides for low density residential development in the southern end of the City that is inappropriate for more intensive urban development due to topography, the frequent presence of wetlands, the high cost and difficulty in extending public facilities, and the desire to create a lower intensity transitional area between the city and the surrounding forest and hillsides.
2. Use of this zone is appropriate for areas designated Residential Low Density I in the Comprehensive Plan.

B. Residential Low Density 2 (R2)

1. This designation provides for low density residential development in mostly established neighborhoods generally west of Anacopper Mine Road. These areas are inappropriate for more intensive urban development due to the established character of the area and/or due to the areas' separation from commercial services.
2. Use of this zone is appropriate for areas designated Residential Low Density 2 in the Comprehensive Plan.

C. Residential Low Density 2A (R2A)

1. This designation provides for low density residential development in established neighborhoods generally east of Anacopper Mine Road. These areas are inappropriate for more intensive urban development due to the established character of the area.
2. Use of this zone is appropriate for areas designated Residential Low Density 2 in the Comprehensive Plan and generally east of Anacopper Mine Road.

D. Residential Medium Density 3 (R3)

1. This designation provides for moderate density residential neighborhoods on lands that are suitable for urban development. These areas are conveniently located in relation to traffic routes, public utilities and community facilities.
2. Use of this zone is appropriate for areas designated Residential Medium Density in the Comprehensive Plan.

E. Residential Medium Density 3A (R3A)

1. This designation provides for moderate density residential uses in areas characterized by a historical pattern of smaller (generally 3,000-square-foot) lots. These areas are conveniently located in relation to traffic routes, public utilities and community facilities.
2. Use of this zone is appropriate for areas designated Residential Medium Density in the Comprehensive Plan.

E. Old Town (OT)

1. This designation recognizes the unique heritage, scale, and character of the oldest residential area of the city by establishing standards to maintain the scale and character of the area.
2. Use of this zone is appropriate for areas designated Old Town in the Comprehensive Plan.

F. Residential High Density 4 (R4)

1. This designation provides for urbanized areas with high density residential uses within walking distance of public transit and commercial/employment areas and/or community facilities. This designation creates a transition from high intensity uses, such as commercial or industrial development, to lower intensity residential areas.
2. Use of this zone is appropriate for areas designated Residential High Density in the Comprehensive Plan.

G. Residential High Density 4A (R4A)

1. This designation provides for special urbanized areas with an established mixture of single-family dwellings and low density multifamily uses.
2. Use of this zone is appropriate for areas designated Residential High Density in the Comprehensive Plan.

19.40.040 - Mixed-use zones established.

A. Central Business District (CBD)

1. This designation applies to the existing downtown commercial district in Anacortes. The purpose of the zone is to reinforce downtown as the center of commercial, civic, and cultural activities within the city. The CBD zone is expected to accommodate new development while reinforcing and enhancing its historic pedestrian-friendly character and scale.
2. Use of this zone is appropriate for areas designated Central Business District in the Comprehensive Plan.

B. Commercial (C)

1. This designation provides for a wide variety of general-service and retail commercial uses, and mixed-uses serving local and regional residents and the traveling public.
2. Use of this zone is appropriate for areas designated Commercial in the Comprehensive Plan.

C. Marine Mixed-Use (MMU)

1. 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.

2. Use of this zone is appropriate for areas designated Marine Mixed-Use in the Comprehensive Plan.

D. Commercial Marine (CM)

1. This designation is established in recognition of the unique and irreplaceable nature of certain marine sites in Anacortes and provides for marine-oriented uses and commercial and industrial enterprises where orientation to navigable waterways and the tourism trade is of primary importance.
2. Use of this zone is appropriate for areas designated Commercial Marine in the Comprehensive Plan.

E. Commercial Marine 1 (CM1)

NOTE TO REVIEWERS: This zone is being eliminated.

- ~~1. This designation is established in recognition of the unique and irreplaceable nature of certain marine sites in Anacortes and provides for a marine-oriented uses and commercial and industrial enterprises where orientation to navigable waterways and the tourism trade is the primary importance.~~
- ~~2. These purposes are accomplished by:
 - a. Allowing ship and boat building and repair, marine sales and services, conference centers, parks and piers, research and development, yacht clubs, and other uses which support the intent of the district;
 - b. Allowing manufacturing, storage and shipment of goods, limited retail, multifamily housing above the ground floor, and other uses which enhance the purpose of a marine-oriented district under special conditions and limitations; and
 - c. Establishing basic design standards focused on building character and the pedestrian environment.~~
- ~~3. Use of this zone is appropriate for areas designated Commercial Marine in the Comprehensive Plan.~~

E. Commercial Marine 2 (CM2)

1. This designation is established in recognition of the unique and irreplaceable nature of certain marine sites in Anacortes and provides for marine-oriented uses and commercial and industrial enterprises where orientation to navigable waterways is of primary importance. This designation provides for a mix of commercial and industrial uses.
2. Use of this zone is appropriate for areas designated Commercial Marine in the Comprehensive Plan.

F. Public Use (P)

1. This designation is to allow for common public uses where the need arises and uses will not create a nuisance or interfere with existing uses.
2. Use of this zone is appropriate for any designation within the City provided the site is appropriately located to accommodate common public uses.

19.40.050 - Industrial zones established.

A. Light Manufacturing (LM)

1. This designation provides for a mix of industrial structures and uses which do not create noise, smoke, odors, or other objectionable nuisances or hazards detrimental to uses in the LM zone or surrounding zones.
2. Use of this zone is appropriate for areas designated Light Manufacturing in the Comprehensive Plan.

B. Light Manufacturing I (LMI)

1. This designation provides for a mix of industrial structures and uses, service and limited retail uses that minimize external visual or physical impacts on adjacent properties and generally do not compete with uses in the CBD and C zones. It is intended primarily to accommodate industrial type uses that do not need water access or proximity to the central business district or to the Commercial Avenue corridor.
2. Use of this zone is appropriate for areas designated Light Manufacturing in the Comprehensive Plan.

C. Manufacturing and Shipping (MS)

1. This designation provides for manufacturing and shipping uses that can utilize the deep waters of Guemes Channel and uses supplementary to and compatible with the principal uses.
2. Use of this zone is appropriate for areas designated Manufacturing and Shipping in the Comprehensive Plan.

D. Heavy Manufacturing (HM)

1. This designation provides for heavy manufacturing and closely related uses in the March Point area. To avoid unnecessary regulations on heavy manufacturing, regulations for this zone are intended to provide protection principally against effects harmful to other zones.
2. Use of this zone is appropriate for areas designated Heavy Manufacturing in the Comprehensive Plan.

E. Industrial (I)

1. This designation provides for manufacturing and closely related uses in areas with existing industrial uses or other areas with suitable land and transportation access that are buffered from residential and other uses that are likely to complain about industrial activities.
2. Use of this zone is appropriate for areas designated Industrial in the Comprehensive Plan.

F. Aeronautical Zone (AZ)

1. This designation provides for the Anacortes Airport and associated uses. The purpose of the AZ zone is to provide for the siting and development of the Anacortes Airport, an essential public facility as defined in Chapter 36.70A RCW, and related facilities.
2. Use of this zone is appropriate for areas designated Aeronautical Zone in the Comprehensive Plan.

19.40.060 - Overlay designations established.

A. Purpose. Some areas within the city have unique characteristics, special land uses, and/or land use objectives that call for an overlay designation. Overlays impose restrictions on a specific geographic area within an existing zone or zones. Property in an overlay remains subject to the restrictions and limitations of the underlying zone and the overlay regulations act to supplement but not replace the regulations of the underlying zone.

B. Medical Overlay (MED-O)

This overlay designation provides for coordinated expansion of Island Hospital and growth of medical support uses in the immediate vicinity while minimizing the impacts on surrounding residential uses.

C. Live/Work Overlay (LW-O)

This overlay designation provides the opportunity to combine living and working spaces in individual units, provided the scale and impact of such non-residential uses is limited. This designation is appropriate for select R-3 and R-4 zones that are adjacent to mixed use and industrial zones.

D. Mixed-Use Business Overlay (MUB-O)

This overlay designation provides the opportunity to integrate non-residential uses together with residential uses. Such uses must be limited to those uses that minimize external or physical impacts on residential uses. Non-residential uses may be developed as a single use site or building or integrated with residential uses within a single building or on the same site. This designation is appropriate for select R-3 and R-4 zones that are adjacent to mixed-use or industrial zones.

19.40.070 - Zoning of annexed land.

All annexations must be enacted with the land use designation and zone pre-designated in the Comprehensive Plan land use map and the Official Zoning Map. Generally, land within the city's urban growth boundary that is annexed to the city and is located north of South March Point Road must be zoned Heavy Manufacturing (HM) and land within the city's urban growth boundary that is annexed to the city and is located south of South March Point Road must be zoned Light Manufacturing I (LMI). The precise locations of these boundary lines are shown on the Official Zoning Map. In the event that the urban growth boundary is extended to other areas in the future, the zoning for such areas must be pre-designated by the City Council at the time the extension is approved.

Chapter 19.41 - ALLOWED USES

19.41.010 - Purpose.

The purpose of this chapter is to establish the uses generally permitted in each zone which are compatible with the purpose of the zone and other uses allowed within the zone.

19.41.020 - Classification of uses.

A. Use categories.

1. In order to regulate uses, categories of uses have been established. Use categories provide a systematic basis for assigning land uses to appropriate categories with other similar uses. Use categories classify land uses and activities based on common functional, product or physical characteristics.
 2. Characteristics include the type and amount of activity, the hours of operation, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties, and site conditions.
 3. Use category definitions are included in AMC Chapters 19.43-46.
 4. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The director has the responsibility for categorizing all uses.
- B. Principal uses. Allowed principal uses by zone are listed in Tables 19.41.040-050. Principal uses are grouped into categories of uses.
- C. Accessory uses. Accessory uses are allowed in conjunction with a permitted principal use as established in AMC Chapter 19.47 Accessory Uses & Structures.
- D. Temporary uses. Temporary uses are allowed as established in AMC Chapter 19.48 Temporary Uses.

19.41.030 - Key to the use table.

The use tables in this chapter determine whether a use is allowed in a zone.

A. Permitted use (P).

Where the letter “P” appears in the use tables, the subject use is permitted. “Permitted” uses are those that do not require discretionary land use approval permits, but may require building permits, shoreline permits, or other permits required by AMC Chapter 19.14 International Codes.

B. Conditional use (C).

Where the letter “C” appears in the use tables, the subject use is allowed subject to the conditional use review procedures specified in AMC 19.20.030 Types of review and AMC Chapter 19.36 Conditional Uses.

C. Use not permitted ().

Where no symbol appears in the use tables, the subject use is prohibited in that zone.

D. Special use limitations (X).

For uses containing a superscript (X), refer to the code reference in the right column next to the superscript (X).

E. Unclassified uses.

Where a proposed use is not classified in the use tables and sections below, the director must apply the use provisions of a use most similar in scale and associated level of impacts. Where the director finds that there is no such similar use, the director must make a determination in writing on whether the use should be permitted, conditionally permitted, or prohibited, based on the purpose of the applicable zone, the mixture of permitted, conditional, and prohibited uses, and the scale and projected impacts of the proposed use. Special criteria in helping to determine whether a use is appropriate for the zone:

1. Consider the scale and type of buildings compared to other permitted uses in the zone.
2. Consider the amount, type, and pattern of vehicular traffic anticipated for the use.
3. Consider the expected outdoor uses and activities associated with the use.
4. Consider the expected noises, odors, emissions, and unique visual impacts associated with the use.

19.41.040 - Principal uses permitted in residential zones.

Table 19.41.040 below provides the list of permitted principal uses in residential zones.

NOTE: Accessory uses are not shown in these Principal Use charts. See AMC Chapter 19.47 Accessory Uses and Structures for applicable accessory use provisions.

Table 19.41.040 Principal uses permitted in residential zones.									
Principal Use	R1	R2	R2A	R3	R3A	R4	R4A	OT	Reference
RESIDENTIAL									
Household Living, as listed below									AMC 19.43.010(A)
Single-family	P	P	P	P	P	P	P	P	AMC 19.43.010(B)
Single-family, small lot				P	P	P	P		AMC 19.43.010(C)
Cottage housing		P	P	P	P	P	P		AMC 19.43.010(D)
Duplex		C	P	P	P	P	P	P	AMC 19.43.010(E)
Triplex				C	P	P	P		AMC 19.43.010(F)
Townhouse				C	P	P	P		AMC 19.43.010(G)
Multifamily, 4 units				C	P	P	P		AMC 19.43.010(H) and (I)
Multifamily, 5 or more units						P	P		AMC 19.43.010(H) and (I)
Live-work									AMC 19.43.010(J)
Group Living, as listed below									AMC 19.43.020(A)
Adult family home	P	P	P	P	P	P	P	P	AMC 19.43.020(B)
Assisted living facility				C	C	P	C		AMC 19.43.020(C)
Nursing homes						C			AMC 19.43.020(D)
Rooming houses				C	C	P	P	C	AMC 19.43.020(E)
COMMERCIAL									
Day Care, as listed below									AMC 19.44.010(A)
Day care I facilities	P	P	P	P	P	P	P	P	AMC 19.44.010(B)
Day care II facilities			C	C	C	C	C	C	AMC 19.44.010(B)
General-service, except as listed below									AMC 19.44.020(A)
Public safety facility	C	C	C	C	C	C	C	C	AMC 19.44.020(E)
Medical, except as listed below				C (X)	C (X)				AMC 19.44.030(A) (X) AMC 19.44.030(B)
Hospital									AMC 19.44.030(C)
Office									AMC 19.44.040(A)
Overnight Lodging, except as listed below									AMC 19.44.050(A)
Bed & breakfast	C	C	C	C	C	P	P	C	AMC 19.44.050(B)

Table 19.41.040 Principal uses permitted in residential zones.									
Principal Use	R1	R2	R2A	R3	R3A	R4	R4A	OT	Reference
Parking	C(×)	C(×)	C(×)	C(×)	C(×)	C(×)	C(×)	C(×)	AMC 19.44.060(A) (×) AMC 19.44.060(B)
Passenger Terminal									AMC 19.44.070(A)
Personal Service, except as listed below									AMC 19.44.080(A)
Beauty salons						C	C		AMC 19.44.080(D)
Recreation, Indoor									AMC 19.44.090(A)
Recreation, Outdoor									AMC 19.44.100
Restaurant/Bar									AMC 19.44.110(A)
Retail Sales, except as listed below									AMC 19.44.120(A)
Neighborhood grocery store		C	C	C	C	C	C	C	AMC 19.44.120(D)
Vehicle Sales/Rental									AMC 19.44.130(A)
INDUSTRIAL									
All industrial uses									AMC Chapter 19.45
PUBLIC, INSTITUTIONAL & OPEN SPACE USES									
Agriculture, except as listed below	P(×)								AMC 19.46.010(A) (×) AMC 19.46.010(B)
Nurseries	C	C	C	C	C	C	C		AMC 19.46.010(E)
Civic, Except as listed below and based on gross floor area (GFA):									AMC 19.46.020(A-B)
<10,000sf GFA		P	P	P	P	P	P	P	
10,000-20,000sf GFA		C	C	C	C	C	C		
>20,000sf GFA									
Special civic uses:									AMC 19.46.020(C)
Cemetery/columbarium									AMC 19.46.020(C)(1)
College, community college, or university									AMC 19.46.020(C)(2)
Community center				C	C	C	C		AMC 19.46.020(C)(3)
Museum									AMC 19.46.020(C)(4)
Private recreational, civic, social and/or cultural clubs				C	C	C	C		AMC 19.46.020(C)(5)
Schools, public or private (K-12)	C	C	C	C	C	C	C	C	AMC 19.46.020(C)(6)
Parks, Plazas, Open Spaces, & Natural Areas	P	P	P	P	P	P	P	P	AMC 19.46.030

Table 19.41.040 Principal uses permitted in residential zones.									
Principal Use	R1	R2	R2A	R3	R3A	R4	R4A	OT	Reference
Utilities, as listed below									AMC 19.46.040
Utilities, major	C	C	C	C	C	C	C	C	AMC 19.46.040(A)
Utilities, minor	P	P	P	P	P	P	P	P	AMC 19.46.040(B)
Sustainable energy generation system									AMC 19.46.040(C)
Wireless Telecommunications Towers & Antennas	See AMC Chapter 17.63 Wireless Telecommunications Towers and Antennas								

19.41.050 - Principal uses permitted in mixed-use and industrial zones.

Table 19.41.050 below provides the list of permitted principal uses in mixed-use and industrial zones.

Table 19.41.050 Principal uses permitted in mixed-use and industrial zones.											
Principal Use	CBD	C	MMU	CM	CM2	LM	LMI	MS	I	HM	Reference
RESIDENTIAL											
<i>Note: Residential uses are not allowed on the ground floor facing a designated Storefront Street (see AMC Chapter 19.61). Lobbies for multifamily uses and live-work dwelling units are an exception, provided the units meet the standards in AMC 19.61.060.</i>											
Household Living, as listed below											AMC 19.43.010(A)
Single-family	C(×)	C(×)				C	P(×)				AMC 19.43.010(B) (×) AMC 19.43.010(B)(2)
Single-family, small lot											AMC 19.43.010(C)
Cottage housing											AMC 19.43.010(D)
Duplex											AMC 19.43.010(E)
Triplex											AMC 19.43.010(F)
Townhouse	P	P(×)	P(×)								AMC 19.43.010(G) (×) AMC 19.43.010(G)(3)
Multifamily dwellings, 4 or more units	P	P(×)	P(×)	C(×)		C		C(×)			AMC 19.43.010(H) (×) AMC 19.43.010(H)(3-6)
Live-work	P	P(×)	P					C			AMC 19.43.010(J) (×) AMC 19.43.010(J)(3)
Group Living, as listed below											AMC 19.43.020(A)
Adult family home	P(×)	P(×)				P(×)	P				AMC 19.43.020(B) (×) AMC 19.43.020(B)(2)
Assisted living facility	P	P	P								AMC 19.43.020(C)
Nursing homes	C	C	C								AMC 19.43.020(D)
Rooming houses											AMC 19.43.020(E)
COMMERCIAL											
Day Care, as listed below											AMC 19.44.010(A)
Day care I facilities	P	P	P	P	P	P	P				AMC 19.44.010(B)
Day care II facilities	P	P	P	P			P				AMC 19.44.010(B)
General-service, except as listed below	P	P	P	P	P		P				AMC 19.44.020(A)
Heavy service		P					P			P	AMC 19.44.020(C)
Public safety facility	C	P	C	P	C	P	P	C	P	P	AMC 19.44.020(E)

Table 19.41.050 Principal uses permitted in mixed-use and industrial zones.											
Principal Use	CBD	C	MMU	CM	CM2	LM	LMI	MS	I	HM	Reference
Medical, Except as listed below and based on gross floor area (GFA):											AMC 19.44.030(A)
<10,000 GFA	P	P	P								
10,000-20,000 GFA	C	C	C								
>20,000 GFA											
Hospital		C									AMC 19.44.030(C)
Office	P	P	P	P	P(X)		P(X)	P	P(X)	P	AMC 19.44.040(A) (X) AMC 19.44.040(B)
Overnight Lodging	P	P	P	P		C					AMC 19.44.050(A)
Parking	C	P	P	P	P	P	P	P	P	P	AMC 19.44.060(A)
Passenger terminal except as listed below	P	P	P	P	C	P					AMC 19.44.070(A)
Aeronautical use											AMC 19.41.080(A)(2)
Personal Service, except as listed below	P	P	P								AMC 19.44.080(A)
Animal care - indoor	C	P					P				AMC 19.44.080(C)
Animal care - outdoor		C					P				AMC 19.44.080(D)
Recreation, Indoor Except as listed below and based on net floor area (NFA):											AMC 19.44.090(A)
<10,000 NFA	P	P	P	P							
10,000 to 20,000 NFA	C	C	P	C							
>20,000 NFA	C	C	C	C							
Special indoor recreation uses:											AMC 19.44.090(B)
Adult concessions		P(X)					P(X)		P	P(X)	AMC 19.44.090(B)(1)
Shooting range							P				AMC 19.44.090(B)(2)
Recreation, Outdoor, except as listed below							P(X)				AMC 19.44.100(A-B)
Campground				C			C				AMC 19.44.100(C)
Golf course							P				AMC 19.44.100(D)
Marinas & boat moorage			P	P	P	P	C	C	C		AMC 19.44.100(E)
Recreational vehicle park				C							AMC 19.44.100(F)
Shooting range											AMC 19.44.100(G)
Restaurant/Bar	P	P	P	P	C	P		C			AMC 19.44.110(A)

Table 19.41.050
Principal uses permitted in mixed-use and industrial zones.

Principal Use	CBD	C	MMU	CM	CM2	LM	LMI	MS	I	HM	Reference
Food truck	P	P	P	P	P	P	P	P	P	P	AMC 19.44.110(C)
Retail Sales, Except as listed below and based on net floor area (NFA)/individual use:											AMC 19.44.120(A)
<5,000 NFA	P	P	P	P	P		P(x)	P		P(x)	(x) AMC 19.44.120(B-C)
5,000-25,000 NFA	P	P	P	P				C			
25,001-50,000 NFA	P	P	C								
>50,000 NFA	C	C	C								
Special retail sales uses:											AMC 19.44.120(E)
Heavy retail		C					P			P	AMC 19.44.120(E)(1)
Marijuana, retail		P(x)					P				AMC 19.44.120(E)(2)
Gas station		P	C				P				AMC 19.44.120(E)(3)
Vehicle Sales/Rental, except as listed below		P					P				AMC 19.44.130(A-B)
Marine sales/rental		P	P	P	P		P	P	P		AMC 19.44.130(C)
INDUSTRIAL											
Heavy Industrial					C			P	P	P	AMC 19.45.010(A) AMC 19.69.060
Light Industrial, except as listed below		C	C		C	P	P	P	P	P	AMC 19.45.020(A) AMC 19.69.060
Marijuana, processing		P(x)					P				AMC 19.45.020(B)
Light Manufacturing, except as listed below		C	C		C	P	P	P	P	P	AMC 19.45.030(A)
Artisan manufacturing	P	P	P	P	P	P	P	P	P	P	AMC 19.45.030(B)
Research & Development	P(x)	P(x)	P(x)	P	P	P	P	P	P	P	AMC 19.45.040(A) (x) AMC 19.45.040(B)
Self-Service Storage		P(x)		P			P				AMC 19.45.050(A) (x) AMC 19.45.050(B)
Warehouse & Distribution					C	P	P	P	P	P	AMC 19.45.060(A)
Waste Related Services, except as listed below											AMC 19.45.070(A)
Recycling facility							P		P	P	AMC 19.45.070(B)
Water-oriented industrial uses except as listed below			C	P	P	P		P	P	P	AMC 19.45.080(A)
Dry stack boat storage			C	P	P				P	P	AMC 19.45.080(B)
Boat launch facility			P	P	P	P		P	P	P	AMC 19.45.080(C)

Table 19.41.050 Principal uses permitted in mixed-use and industrial zones.											
Principal Use	CBD	C	MMU	CM	CM2	LM	LMI	MS	I	HM	Reference
Wholesale Trade							P				AMC 19.45.090(A)
PUBLIC, INSTITUTIONAL & OPEN SPACE USES											
Agriculture, except as listed below											AMC 19.46.010(A)
Aquaculture						C	P				AMC 19.46.010(C)
Marijuana, production		P(X)					P				AMC 19.46.010(D)
Nurseries		C					P				AMC 19.46.010(E)
Civic, Except as listed below and based on gross floor area (GFA):											AMC 19.46.020(A-B)
<10,000sf GFA	P	P	P	P							
10,000-20,000sf GFA	P	P	P	P							
>20,000sf GFA	P	P	P	P							
Special civic uses:											AMC 19.46.020(C)
Cemetery/columbarium											AMC 19.46.020(C)(1)
College, community college, or university											AMC 19.46.020(C)(2)
Community center	P	P	P	P					C		AMC 19.46.020(C)(3)
Museum	P	P	P	P				C			AMC 19.46.020(C)(4)
Private recreational, civic, social and/or cultural clubs	P	P	P	P	P		P				AMC 19.46.020(C)(5)
Schools, public or private (K-12)	C	C	C								AMC 19.46.020(C)(6)
Parks, Plazas, Open Spaces, and Natural Areas	P	P	P	P	P	P	P	P	P	P	AMC 19.46.030(A-B)
Utilities											AMC 19.46.040
Utilities, major	C	C	C	C	C	C	C	C	C	C	AMC 19.46.040(A)
Utilities, minor	P	P	P	P	P	P	P	P	P	P	AMC 19.46.040(B)
Sustainable energy generation system		C	C	C	C	C	P	P	P	P	AMC 19.46.040(C)
Wireless Telecommunications Towers & Antennas	See AMC Chapter 17.63 Wireless Telecommunications Towers and Antennas										

19.41.060 - Landmark buildings.

A conditional use permit is required for landmark buildings to contain a use not otherwise allowed within the underlying zone.

19.41.070 - Public Use zone uses.

A. Permitted uses.

1. Public parks, open space, and natural areas per AMC 19.46.030.
2. Single-family residences are permitted with the following conditions:
 - a. Single-family dwellings provided such use complies with the form and intensity standards of the R2A zone.
 - b. Single-family dwellings will be permitted only on property contained in the public use zone that has been continuously in private ownership since November 18, 1991.
3. Minor utilities as established in AMC 19.46.040.

B. Accessory uses. See AMC Chapter 19.47 for accessory use and structure standards.

C. Conditional uses.

1. Civic uses as established in AMC 19.46.020.
2. Uses common to activities of public nonprofit organizations such as meeting halls and sports fields.
3. Major utilities and sustainable energy generation systems as established in AMC 19.46.040.
4. Single-family residences which are related to a principal use, such as a church rectory or a park manager's residence.
5. Parking as a principal use per AMC 19.44.060.
6. Funeral homes associated with a cemetery.
7. Campgrounds per AMC 19.44.100(C). Campgrounds are not permitted in public use zones north of 41st Street and east of A Avenue.

19.41.080 - Aeronautical zone uses.

A. Permitted uses.

1. Airport operational facilities, fueling facilities, hangars, airport terminal facilities, fencing structures up to eight-feet, and buffers. In addition, any light manufacturing use or uses involving processing or storage of goods provided the processes or equipment employed, or goods stored, processed, or sold must be limited to those uses which are not objectionable by reason of hazards, odor, dust, smoke, cinders, fumes, noise, vibration, glare, refuse matter, or water carried waste.
2. "Aeronautical use," which is defined and must mean those uses such as (i) aircraft hangars, (ii) aircraft tie-downs, (iii) aircraft parking areas, taxi areas, and maneuver areas, (iv) aircraft storage, (v) light manufacturing, as defined in the Anacortes zoning code, provided such individual facilities do not exceed 12,500-square-feet of gross floor area, (vi) aircraft related businesses, (vii) offices use, bathrooms, parking, and other such uses in support of the aeronautical uses; provided that any of the structures that may house any of the foregoing uses must not exceed

35-feet in height, and, in addition, (viii) maintenance of any of the foregoing uses and related facilities and improvements, including paved areas, drainage ways, etc. This term must not include any living or sleeping quarters except as allowed per (C)(2) below. All aeronautical uses must be a permitted use within the aeronautical area (as the term is defined in the development agreement) without further mitigation or approval, except as may be specified in the development agreement.

3. Removal of any obstruction for compliance with FAR Part 77 requirements
4. Aircraft operations on the ground and in the air, including takeoff, landing, flight patterns, air traffic corridors, volume of air traffic, altitudes of air traffic, flight schedules, types, sizes and purposes of aircraft and related issues. Such uses must not be subject to any city mitigation requirements, notwithstanding any other provisions of this Code.
5. Other than the port's perimeter fence and operational safety fence, to be located as shown on Exhibit "A" of the development agreement, and the removal of FAR Part 77 obstructions, as shown on Exhibit "C" of the development agreement, there must be no permitted uses allowed within the Anacopper Future Process Area, except through the conditional use process until after completion of the planning process for that area. The construction of the fences and the FAR Part 77 obstruction removals in the Anacopper Future Process Area, must be subject to the landscaping and wetland mitigation contained in the development agreement, or plans approved by the city.

B. Accessory uses. Any use customarily incidental to the permitted principal use. No residential use is permitted, except for caretaker quarters through the conditional use process.

C. Conditional uses.

1. Buildings and structures between 35-50-feet in height; caretaker units.
2. Overnight facilities for use by pilots.
3. Restaurants.
4. Light manufacturing exceeding 12,500-square-feet of gross floor area per use.
5. Any building or structure excluded from being located within the Rockwell Reserve and Panhandle Reserve Areas, provided that the city may deny such permit if the criteria for a conditional use permit are not met.
6. Within the Anacopper Future Process Area, as defined in the development agreement, any use that is listed as a permitted use within the aeronautical area as defined in the development agreement must be a conditionally permitted use within the Anacopper Future Process Area, subject to the imposition of reasonable mitigation and compliance with wetland regulations.
7. Within the North Aviation Area, as defined in the development agreement, any use (other than ongoing airport operations) that is listed as a permitted use within the aeronautical area as defined in the development agreement must be a conditionally permitted use within the North Aviation Area.

D. Special requirements.

1. For uses other than aeronautical uses (aircraft operations, repair and related activities), odor, dust, smoke, cinders, fumes, noise, vibration or light must be investigated by the city based on a complaint or when detected by appropriate and certified test equipment approved by the city and the port when operated by a technician certified to use such equipment located in an adjacent residential zone.

2. Any uses that are legally permitted by the city and specifically allowed by the airport sponsor on the date of the adoption of this zoning, which become nonconforming uses upon adoption of this chapter, must be “grandfathered” until such time as the use is abandoned by the operator. Any nonconforming structure must be “grandfathered” until such time as the structure is abandoned by the owner of the structure or that such structure is destroyed by fire, storm, or “act of God” (more than seventy-five-percent of the occupied space of the structure is no longer capable of re-occupancy for the use and purpose prior to the act causing the destruction) and is not repaired within one year of destruction. Any destruction of a structure that is proximately caused as a result of any act that would be considered a crime, such as arson, malicious mischief, or other crimes, must not be considered destroyed for these purposes, unless such structure is not repaired or replaced within two years of destruction. Upon any of those such occurrences that cause the use and/or structure to no longer be of legal nonconforming use, the use must no longer be allowed and any such structure must be brought into conformity with this chapter, including compliance with the requirements of any applicable development agreement; or if no such agreement is applicable, then the then published setbacks and all other limitations, except that runways, taxiways, navigational aids and lighting must not become nonconforming under any circumstance other than through changes to FAR regulations.
3. All development at the Anacortes Airport is subject to all applicable impact fees and general facility charges at the time of building permit issuance.
4. Fences. Because of the special security needs to prevent accidents to children, pedestrians, pilots, passengers, and animals, fencing of types and at locations as required by FAA regulations, or as determined necessary by the port, are authorized subject to mitigation as required in the development agreement.
5. Landscaping. Due to establishment of the Rockwell Reserve and Panhandle Reserve Areas as defined in the development agreement, landscaping must not be mandatory or required within the aeronautical area of the development agreement. The city planning director must allow for the removal of loose debris, including trash, leaves, twigs, and other foreign objects which are prone to being spread by the wind, without mitigation. All landscaping within the sub-area must be required to be designed to minimize hazards. It is the intent of this section to allow the port significant flexibility in complying with city landscaping requirements.

E. Cumulative impact.

The cumulative impact of development of the property within the sub-area must be reviewed through the SEPA processes related to such development. This SEPA review process may be phased, focusing only on one developable area at a time, deferring areas identified as future process areas to later SEPA review.

19.41.090 - Overlay designation uses.

A. Medical Overlay.

1. Supplemental permitted uses include:
 - a. Medical uses per AMC 19.44.030.
 - b. Group living uses per AMC 19.43.020.

B. Live/work Overlay. Supplemental permitted uses include live-work dwellings as defined in AMC 19.43.010(J). The following additional uses may occur within such live-work dwellings provided they do not feature outdoor service and storage uses that go beyond the typical needs of a single-family use:

1. General-service use category [19.44.020(A)], except for automobile-oriented uses such as but not limited to fuel stations, vehicle repair and detailing, and vehicle cleaning.
2. Office use category [19.44.040(A)].
2. Personal service use category [19.44.080(A)].
3. Retail sales category [19.44.120(A)].
4. Light manufacturing use category [19.45.030(A)].

C. Mixed-Use Business Overlay. Supplemental permitted uses include:

1. Artisan manufacturing per AMC 19.45.030(B).
2. Day care II facilities per AMC 19.44.010(B).
3. Restaurant/bar establishments per AMC 19.44.110(A) with less than 1,000-square-feet of enclosed dining area.
4. General-service establishments per AMC 19.44.020, except:
 - a. Heavy service uses per AMC 19.44.010(B).
 - b. Establishments with less than 2,500-square-feet of net floor area.
5. Nurseries per AMC 19.46.010(E).
6. Office uses per AMC 19.44.040.
7. Personal service establishments per AMC 19.44.080 with less than 2,500-square-feet of net floor area.
8. Retail with less than 5,000-square-feet of net floor area.

Chapter 19.42 - FORM & INTENSITY STANDARDS

19.42.010 - Generally.

A. Purpose.

1. To promote forms of development that reinforce and/or enhance the desired character of Anacortes residential neighborhoods, business districts, and industrial zones.
2. To promote compatibility between developments.
3. To minimize environmental impacts of development.

B. Key to the form and intensity standards tables.

1. The form and intensity standards tables address the form and intensity of development specific to individual zones. The zone is located on the vertical columns and the form/intensity topic being addressed is located on the horizontal rows.
2. Where an AMC reference appears after the form and intensity measure, then the use or development is subject to standards in that section or chapter.
3. For standards containing a superscript (^x), refer to the code reference in the right column next to the superscript (^x).
4. If a cell is blank (), then there are no standards for the particular measure or it is not applicable to the zone.
5. AMC 19.42.040-160 provide clarification and exceptions to the form and intensity standards tables below.

19.42.020 - Form and intensity standards for residential zones.

The following table describes the form and intensity standards in residential zones. Supplemental form and intensity standards apply to the Old Town zone per AMC 19.42.170.

Table 19.42.020 Form and intensity standards for residential zones.									
Measure	R1	R2	R2A	R3	R3A	R4	R4A	OT	Conditions/Reference
LOT SIZE & DEVELOPMENT INTENSITY									
Lot size for single-family dwelling, minimum (square-feet) (AMC 19.42.080)	15,000	7,500	6,000	4,500	3,000	3,000	3,000	6,000	See AMC 19.43.010(C) for standards for lots <5,000sf.
Lot size for duplex, minimum (square-feet) (AMC 19.42.080)		9,000	9,000	7,500	5,000	4,200	4,200	7,500	See AMC 19.43.010(E) for duplex standards.
Additional lot size needed for additional dwelling unit beyond duplex, minimum (square-feet) (AMC 19.42.080)				2,500	2,000		1,200		See AMC 19.43.010(F) and (G) for applicable housing type standards
Minimum lot width circle									Applies to each newly created lot in residential zones. See AMC 19.42.090 for minimum lot width circle calculation and exceptions.
Lot with alley access (feet)	100	60	50	35	25	25	25	45	
Lot without alley access (feet)	100	60	50	40	30	30	30	50	
Density maximum (dwelling units/gross acre)	2	4	6	See lot size min. above		None	18	9	See AMC 19.42.100 for calculating density
Lot coverage, maximum percentage	35%	35%	40%	50%	50%	50%	50%	35% (X)	See AMC 19.42.110 for clarification of lot coverage standards. (X) See AMC 19.42.160(A) for additional lot coverage standards in the OT zone.
Landscaped area, minimum percentage	20%	20%	20%	20%	20%	20%	20%	20%	See AMC 19.65 for landscaping standards
HEIGHT – PRINCIPAL STRUCTURES									
Height, maximum (feet)	35	35	35	35	35	40	35	25 (X)	See AMC 19.42.120 for building height exceptions and modifications (X) See AMC 19.42.160(B) for height exceptions in the OT zone.
Height, maximum with bonus						50			See AMC 19.42.050 for building height bonuses in the R4 zone.

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).									
Street setback, minimum	20	20	20	20	20	10	10	20	AMC 19.42.130(B)
Street setback - garage, minimum	20 (x)	20 (x)	20 (x)	20 (x)	20 (x)	20 (x)	20 (x)	25 (x) (y)	AMC 19.42.130(B) (x) See AMC 19.43.010 for applicable garage placement/design standards for the different housing types (y) See AMC 19.42.160(D) for additional garage setback standards in the OT zone.
Side street setback, minimum	20	10	10	10	10	10	10	10 (x)	AMC 19.42.130(B) (x) See AMC 19.42.160(C) for additional setback standards in the OT zone.
Interior side setback, minimum	10	5	5	5	5	5	5	5 (x)	AMC 19.42.130(C) (x) See AMC 19.42.160(C) for additional setback standards in the OT zone.
Interior side setback - upper floors, minimum	10	7.5	7.5	7.5	7.5	7.5	7.5	7.5	AMC 19.42.130(D)
Rear setback, minimum	20	20	20	20	20	10	10	20	AMC 19.42.130(E)

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

The following table describes the form and intensity standards in mixed-use and industrial zones. Form and intensity standards for the Aeronautical zone are located in AMC 19.42.180 and for the Public Use zone in 19.42.190.

Table 19.42.030											
Form and intensity standards for mixed-use and industrial zones.											
Measure	CBD	C	MMU	CM	CM2	LM	LM1	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					See AMC 19.42.060-.080 (x) AMC 19.42.120(C)(4-5)
SETBACKS (feet)											
NOTE: The setbacks below apply to principal structures, unless otherwise noted, except where accessory structure setbacks are modified by 19.47.020(B).											
Street setback, minimum	0	0	0	10	10	10	10	10	15	15	AMC 19.42.130(B) Also see AMC Chapter 19.61 Block Frontage Standards
NOTE: Most non-residential and multifamily development must conform to block frontage standards of Chapter 19.61, which affect the street setbacks.											
Interior side setback, minimum	0	0	0	0	0	10	10	10	10	10	AMC 19.42.130(C). Also see AMC 19.62.020, Relationship to adjacent properties

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
Rear setback, minimum	0	0	0	0	0	10	10	10	10	10	AMC 19.42.130(E), Also see AMC 19.62.020, Relationship to adjacent properties
Accessory building setbacks (where they differ from setbacks above)											
Interior side setback, minimum	0	0	0	0	0	3-5 [see AMC 19.47.020(B) for details & exceptions]					
Rear setback, minimum	0	0	0	0	0	0-10 [see AMC 19.47.020(B) for details & exceptions]					

19.42.040 - Bonus incentives, generally.

A. Purpose.

To offer flexibility to allowable density or height in strategic zones in exchange for the integration of permanent open space or affordable housing units.

B. Applicability.

1. The bonus incentive provisions of this chapter apply to the following situations:
 - a. Density bonuses in the R1 zone (see AMC 19.42.050).
 - b. Height bonuses in the R4 zone as established in table 19.41.030 (see AMC 19.42.060).
 - c. Height bonuses in several industrial zones (see AMC 19.42.070-080).
2. The provisions of this section are optional.

19.42.050 - Bonus incentives in the R4 zone.

A. Purpose. To allow flexibility in building height in exchange for the integration of affordable dwelling units into the development.

B. Applicability. Height bonuses are available to development in the R4 zone as established in Chapter 19.42 Form and Intensity Standards provided it complies with one of the affordable housing options in this section.

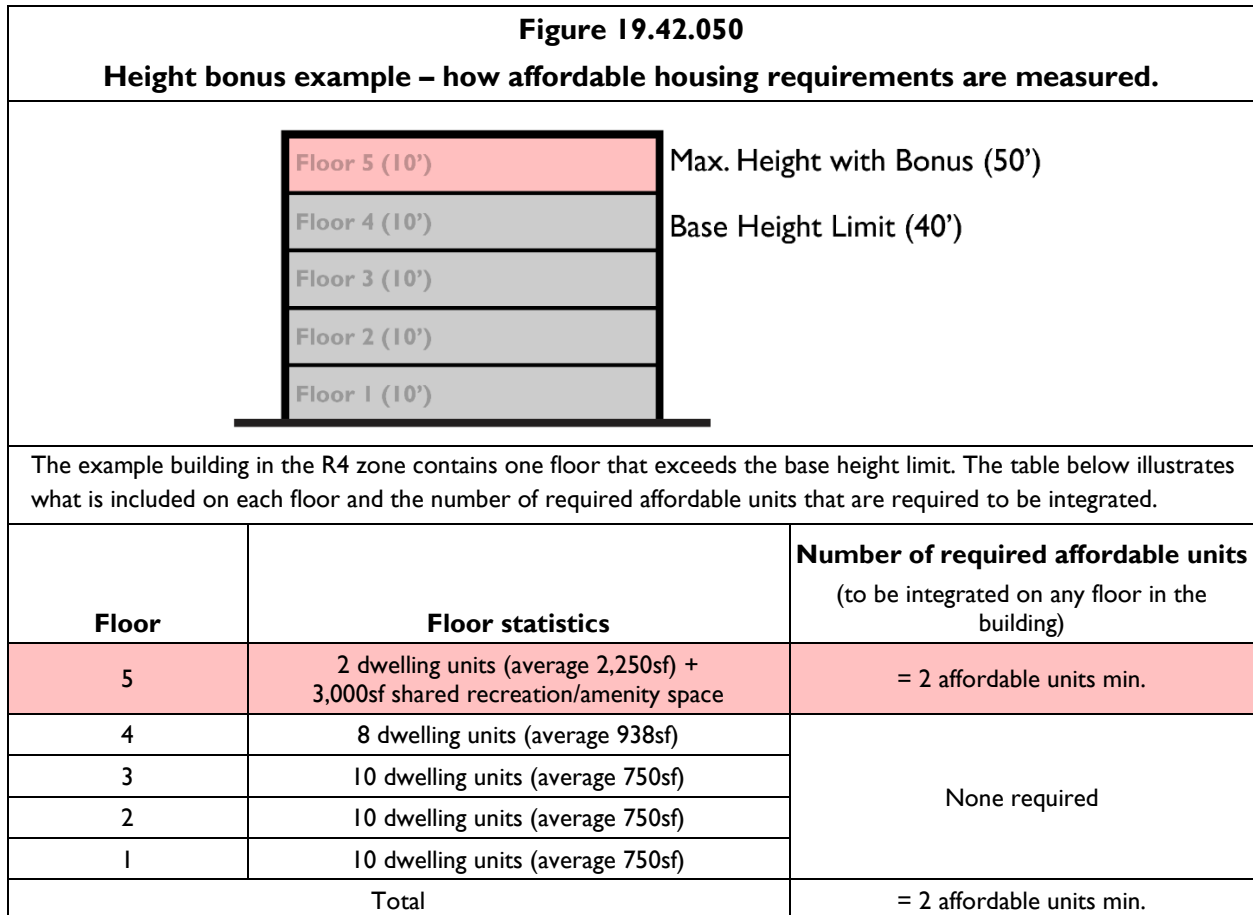
C. Option 1: Small units. Developments where at least 25-percent of the total dwelling units contain no more than 600-square-feet of gross floor area qualify for the height bonus.

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

such termination. In the event that HUD no longer publishes median income figures for the Mount Vernon-Anacortes MSA, the city may use any other method for determining the Skagit County median income, adjusted for household size.

4. Duration. Rental and ownership units must serve only income-eligible households for a minimum period of 50 years from the date of the certificate of occupancy.
5. Tenure. The tenure of the affordable housing units (ownership or rental) must be the same as the tenure for the rest of the housing units in the development.
6. Affordability agreement.
 - a. Prior to building permit issuance, an affordable housing agreement in a form approved by the director and City Attorney must be recorded with the Skagit County Auditor's office as a covenant running with the land and binding on the applicant, property owner, assigns, heirs and successors.
 - b. The agreement must address the level and duration of affordability, tenant qualifications, reporting, monitoring, and any other topics related to the provision of the affordable housing units.
 - c. The City may, at its sole discretion, establish a monitoring fee for the affordable units to cover the costs to the City to review and process documents to maintain compliance with income and affordable restrictions of the agreement.
7. Location. The affordable unit(s) must be located within the development and above grade (no basement units).
8. Size (bedroom). The affordable housing units must consist of a range of number of bedrooms that is comparable to units in the overall development.
9. Size (net floor area). The size of the affordable housing units, if smaller than the other units with the same number of bedrooms in the development, must be approved by the director. If there is a proposal that the affordable units be smaller than the market rate units, in no case may the affordable housing units be less than 500-square-feet for a studio unit, 600-square-feet for a one-bedroom unit, 800-square-feet for a two-bedroom unit, or 1,000-square-feet for a three-bedroom unit.
10. Design. The exterior design of the affordable housing units must be compatible and comparable with the rest of the dwelling units in the building/development and must comply with design standards specified in AMC Chapter 19.63. The interior finish and quality of construction of the affordable housing units must at a minimum be comparable to entry level rental or ownership housing in the city.
11. Timing/Phasing. The affordable housing units must be available for occupancy in a time frame comparable to the availability of the rest of the dwelling units in the development.

19.42.060 - Bonus incentives in the CM zone.

A. Purpose. To allow flexibility in building height via:

1. Integration of affordable dwelling units into the development.
2. Providing a review process to ensure that the additional building height would not have adverse impacts on the general vicinity.

- B. Developments seeking additional building height that integrate residential units must comply with height bonus provisions of AMC 19.42.050.
- C. Developments seeking additional building height that do not integrate residential units are subject to a conditional use permit per AMC Chapter 19.36 Conditional Uses. Special application requirements, criteria, and conditions:
 - 1. Applicants must conduct a three-dimensional visual analysis to examine views of the development from surrounding streets, adjacent properties, and up to three other sites selected by the director to help ensure that the proposed building(s) do not adversely impact the general vicinity.
 - 2. The applicant must demonstrate how the building has been sited and designed to minimize visual impacts on sites specified in subsection (C)(1) above.
 - 3. Conditions may be imposed to ensure compatibility with the conditional use criteria, including those in AMC 19.36.050 and the following:
 - a. Changes in building depth, width.
 - b. Additional building massing techniques (beyond minimum requirements in AMC 19.63.030), such as upper level building setbacks and/or additional building modulation or articulation treatments.

19.42.070 - Bonus incentives in the MMU zone.

A. Bonus incentives in the portion of the MMU zone west of Q Avenue. Such bonus height increases are subject to a conditional use permit per AMC Chapter 19.36 Conditional Uses. Special application requirements, criteria, and conditions:

1. Applicants must conduct a three-dimensional visual analysis to examine views of the development from at least three vantage points (including surrounding streets and other public vantage points as selected by the director) to help ensure that the proposed building(s) do not adversely impact the general vicinity.
2. The applicant must demonstrate how the building has been sited and designed to minimize visual impacts on sites specified in subsection (1) above.
3. Conditions may be imposed to ensure compatibility with the conditional use criteria, including those in AMC 19.36.050 and the following:
 - a. Changes in building depth, width.
 - b. Additional building massing techniques (beyond minimum requirements in AMC 19.63.030), such as upper level building setbacks and/or additional building modulation or articulation treatments.

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).



- 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.

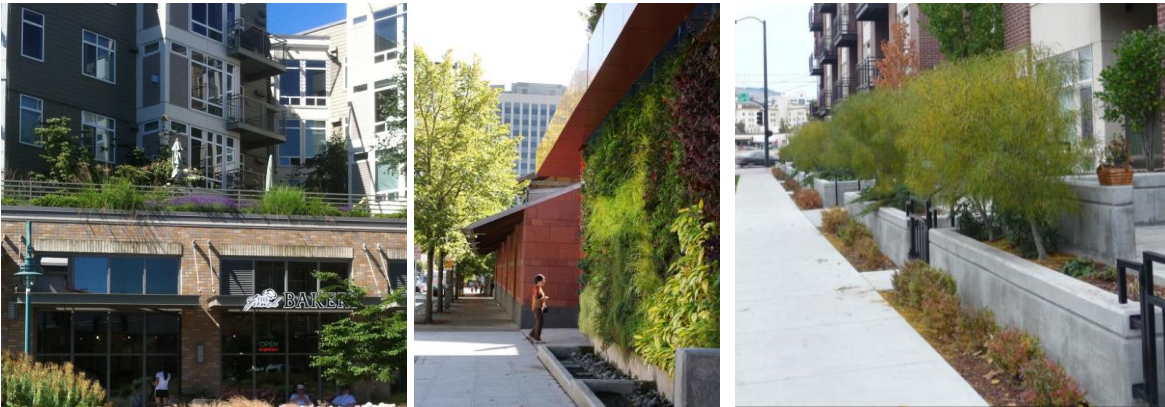


Table 19.42.070

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

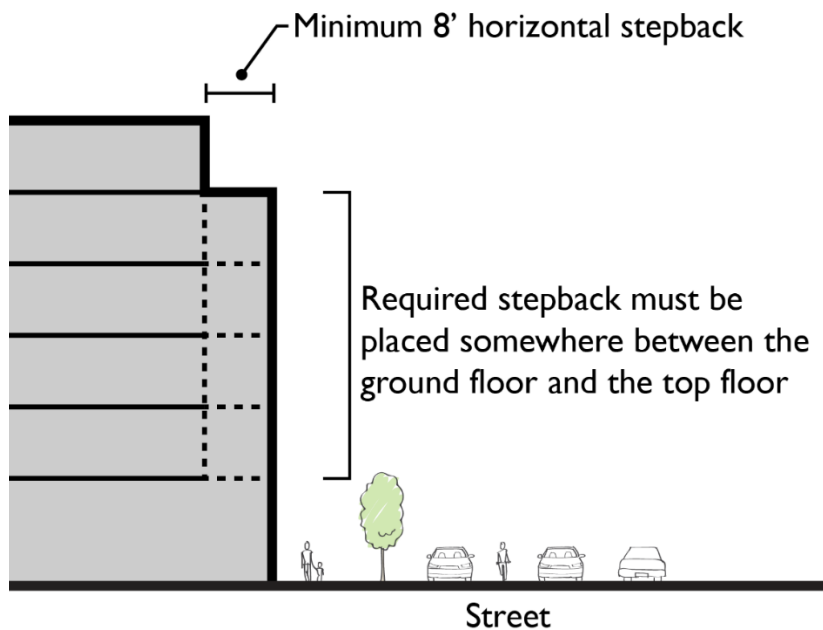


Table 19.42.070

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

- 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.

Example



- 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.

Example



Table 19.42.070 Height bonus incentive features for the portion of the MMU zone east of Q Avenue.	
Example	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.  
	10 Provide freely accessible public restrooms. Must be available to the general public (not only commercial customers) and available daily.
Example	11 Provide indoor meeting space available for free to the general public (3,000sf min.). See example below. 
	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.

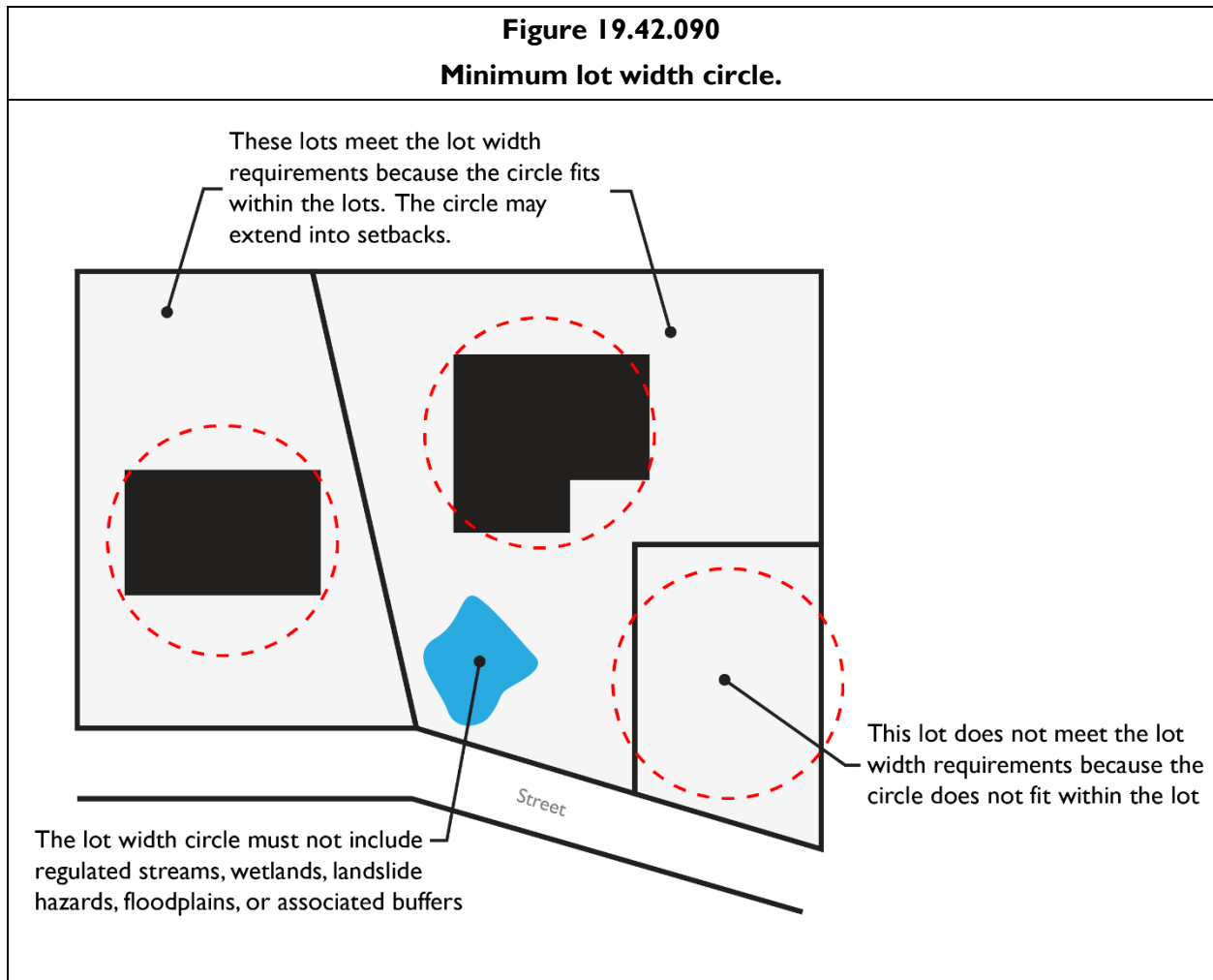
19.42.080 - Minimum lot size calculations.

Minimum lot size calculations are based on net lot area, rather than gross lot area. The following areas are excluded from the minimum lot area calculations:

- A. Street right-of-way, or other areas reserved or dedicated for public use (such as parks, open space, and stormwater facilities).
- B. Submerged lands, landslide hazard areas and buffers, regulated wetlands and buffers, and Type-1, 2, 3 and 4 streams and buffers.

19.42.090 - Minimum lot width circle calculation and exceptions.

- A. Purpose. The purpose of the minimum lot width circle requirement is to:
1. Ensure that each lot is wide enough to maintain a consistent and compatible land use pattern in residential neighborhoods; and
 2. Ensure that a minimum buildable area is included in each lot created.
- B. Requirement. Table 19.42.020 identifies the minimum lot width circle diameter that must fit within each newly created lot in residential zones. This circle establishes that at least some portion of a lot must be at least as wide as the minimum lot width. The lot width circle must not include submerged lands, landslide hazard areas and buffers, regulated wetlands and buffers, and Category 1, 2, 3 and 4 streams and buffers.
- C. The following lots are exempt from minimum lot width circle standards: Duplexes, triplexes, cottage and townhouse developments, where individual units are subdivided into separate lots via unit lot subdivision.



19.42.100 - Density calculations.

- A. Calculations for determining minimum density.** The density minimum standard applies to single purpose residential developments (mixed-use developments are exempt). All site areas applicable to the residential development must be used in the calculation of minimum allowed residential density except the following:
1. Street right-of-way, or other areas reserved or dedicated for public use (such as parks, open space, and stormwater facilities).
 2. Submerged lands, landslide hazard areas and buffers, regulated wetlands and buffers, and Type-1, 2, 3, and 4 streams and buffers.
- B. Calculations for determining maximum density.**
1. Maximum density for residential zones applies to all development with new residential dwelling units, unless otherwise noted herein.
 2. Gross acreage of the site may be used in the calculation of the maximum allowed residential density (including half of existing street right-of-way around the perimeter of the site and any new street right-of-way internal to the site).
 3. For the purpose of meeting maximum density requirements for subdivisions in applicable zones, final plats must specify the maximum number of dwelling units per lot.
- C. How to calculate density.** Minimum and maximum density for an individual site must be calculated by multiplying the total acreage based on subsections (A) and/or (B) above by the applicable number of dwelling units. When calculation results in a fraction, the fraction must be rounded to the nearest whole number as follows:
1. Fractions of 0.50 and above must be rounded up.
 2. Fractions below 0.50 must be rounded down.
- D. Prohibited reduction.** Any portion of a lot that was used to calculate minimum compliance with the standards and regulations of this title must not be subsequently subdivided or segregated from such lot **unless all portions of the resulting lots continue to meet the code requirements after the subdivision.**

19.42.110 - Lot coverage calculations, exceptions, and modifications.

Lot coverage refers to the area of a lot which is covered by buildings and structures. Lot coverage calculation details and clarification:

- A. The area covered must be measured from the outside of external walls of enclosed spaces, from the outer edge of the floor of open decks and porches and from the supporting members of structures such as a carport which are not enclosed by walls.
- B. The roof overhang must not be included in the lot coverage unless it exceeds three-feet, in which case the portion of the roof overhang extending beyond three-feet must count as part of the lot coverage.
- C. Open beams and lattice work without a roof are not considered part of the lot coverage.
- D. Minor appurtenances such as bay windows, chimneys and trim not extending more than two-feet from the primary wall, and not extending the enclosed floor area must not count in lot coverage.

- E. Decks or patios on grade within an average height of 18-inches above grade must not count in lot coverage.
- F. For unusual structures, for example, communication towers, the director must determine the extent of lot coverage.
- H. Modification for all residential zones, except for R1: One detached accessory structure not exceeding 144-square-feet is permitted without counting as part of the lot coverage. The lot coverage of any additional accessory structures, or of any accessory structure exceeding 144-square-feet shall count as part of the percentage of lot coverage permitted in these zones.
- I. Modifications for townhouse and multifamily development in the R4 zone.
 - 1. Townhouses: Maximum lot coverage is 60-percent.
 - 2. Multifamily: Maximum lot coverage is 75-percent when at least 50-percent of the required parking is accommodated within and/or below the structure.

19.42.120 - Building height calculations, exceptions, and modifications.

A. Height measurement: Building height is measured to the highest point of the structure from the average of the natural topography at the foundation at the front of the building. Exceptions and clarifications:

1. In cases where the lot slopes downhill from the property line at the front of the building, the height is measured from the highest point of the house to the average of the natural grade directly under the building.
2. If the building site has frontage on two or more streets, the height is measured from the highest point of the building to the average of the natural grade directly under the building if the lot slopes downhill from the property line on either street frontage.
3. The allowable height is measured from the average of the natural or existing topography of the portion of the lot, parcel or tract of real property which will be directly under the proposed building.
4. Height requirements for buildings in shoreline jurisdictions are provided for in the Shoreline Master Program.
5. Calculation of the average grade level is made by averaging the elevations of the center of all exterior walls of the proposed building. Additionally, “natural or existing topography” is the topography of the lot, parcel or tract of real property immediately prior to any site preparation, grading, excavation, or filling. Where a tract of land is regraded for the purpose of a land division, the “natural or existing topography” is the grades as they exist at the time of recording of the final plat.

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

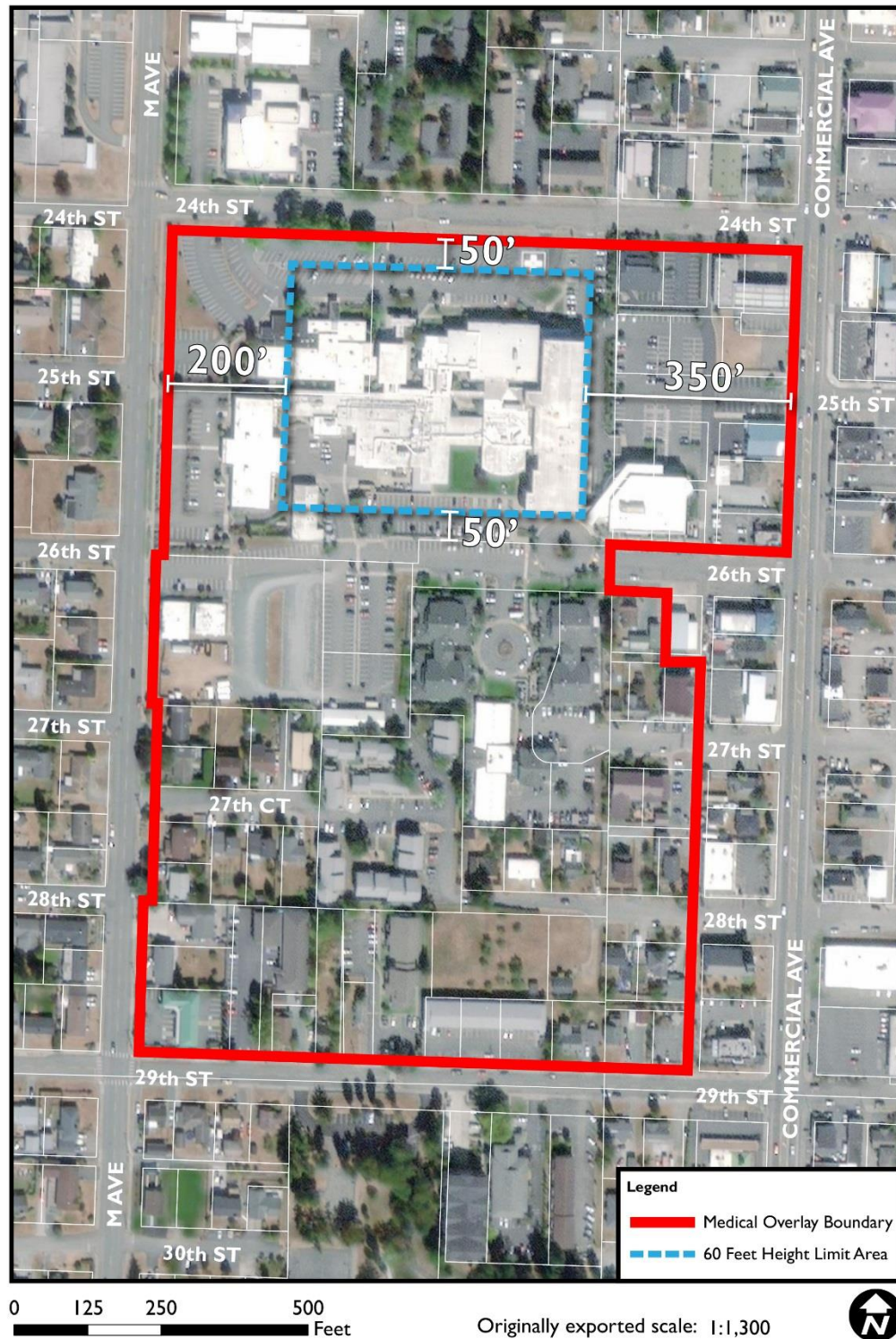
1. Roof structures housing or screening elevators, stairways, tanks, rooftop wind generators, ventilating fans or similar equipment required for building operation and maintenance may exceed the height limit by up to ten-feet in the R3, R3A, R4, R4A, mixed-use, and industrial zones, provided the area 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. 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.
3. Except as may otherwise be prohibited by the FAA Regulations, the height limitations of Tables 19.42.020 and 19.42.030 above do not apply to church spires, belfries, cupolas and domes not intended for residential purposes, or to monuments, water towers, observation towers, power transmission towers, silos, grain elevators, chimneys, smokestacks, derricks, conveyors, flag poles, radio, masts, aerials and similar structures.
4. In the HM zone, unoccupied structures may exceed 50-feet in height provided the minimum setbacks for the zone are increased by one foot for each foot of building height in excess of 50-feet.

C. Modifications.

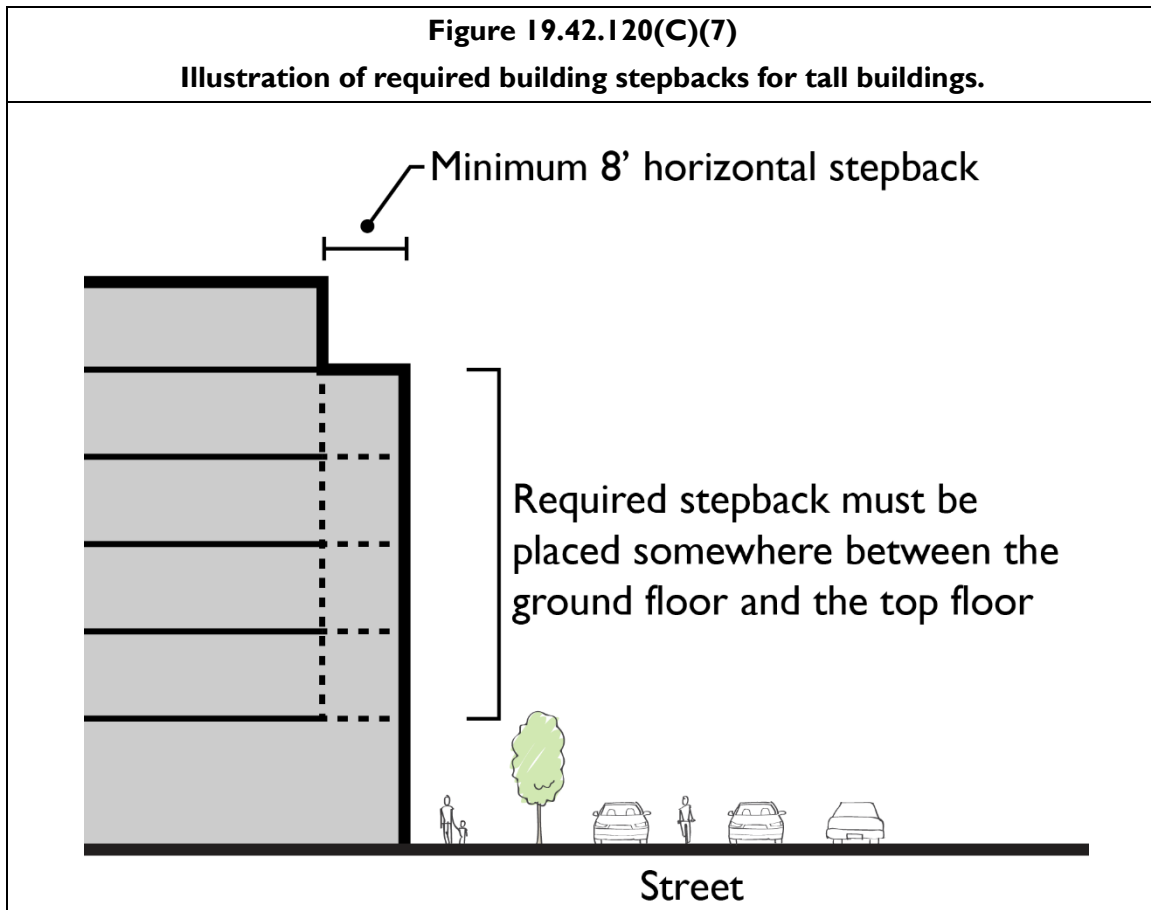
1. **The LM zone abutting the Guemes Channel.** Nonresidential structures over 35-feet in height may only be approved through the conditional use process. A conditional use permit for heights between 35 and 50-feet must only be granted for uses which are permitted uses in the zone, and where the specialized 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. **LMI zone.** The maximum height for residential structures is 35-feet.
3. **MS zone.** Temporary equipment used in the primary permitted use and not constituting a building or permanent enclosure, such as cranes or scaffolding, may exceed the maximum height. The director may authorize construction of fabric enclosures or temporary structures to contain particulates or shelter a vessel under construction which exceed 50-feet in height, provided that the permit is for a specified length of time for a specific project, and they are taken down at the conclusion of the specific work for which they were erected.
4. **MMU zone west of Q Avenue.** Base maximum height is 35-feet. The maximum height with bonus is 50-feet [see AMC 19.42.080(A) for applicable bonus provisions].
5. **MMU zone east of Q Avenue.** Base maximum height is 45-feet. The maximum height with bonus is 65-feet [see AMC 19.42.080(B) for applicable bonus provisions]. Buildings are also subject to special height, width, and orientation standards:
 - a. All buildings are subject to building massing and articulation standards in AMC 19.63.030.
 - b. Buildings up to four stories tall or no more than 50-feet tall are limited to 200-feet in width in the north-south direction.
 - c. Buildings taller than four stories or more than 50-feet tall are limited to 150-feet in width in the north-south direction.

DEPARTURES to standards (b) and (c) above will be considered per AMC 19.20.220 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.
6. **MED-O overlay.** The maximum height limit is 60-feet in the area bounded by the following lines [illustrated in Figure 19.42.130(C)(6)].
 - a. A line parallel to and 350-feet west of the Commercial Avenue west right-of-way edge.
 - b. A line parallel to and 50-feet north of the 26th Street north right-of-way edge.
 - c. A line parallel to and 200-feet east of the M Avenue east right-of-way edge.
 - d. A line parallel to and 50-feet south of the 24th Street south right-of-way edge.

Figure 19.42.120(C)(6)
MED-O boundary and 60-foot height limit area.



7. **CBD zone stepback requirements.** For buildings 60-feet high or taller in the CBD zone, buildings must incorporate a minimum horizontal stepback of eight-feet along at least 75-percent of the façade. The required stepback must be placed somewhere between the ground floor and the top floor. See Figure 19.42.120(C)(7) for an example.



8. **CM2 zone.** The City may consider and approve building heights in excess of 50-feet through a conditional use permit process.

19.42.130 - Setback types and measurements.

The form and intensity standards tables in this chapter provide minimum standards for street, interior side, and rear setbacks. Clarification on how these setbacks are measured are provided below.

A. Measurement. All setbacks must be measured at right angles, or as near to right angles as possible, to the nearest property line in a plane horizontal to the ground. Setback directions must be determined as provided in subsections (B) through (E) below.

B. Street setbacks.

1. The street setback is measured from the street right-of-way to a line parallel to and measured perpendicularly from the street right-of-way at the depth prescribed for each zone.
2. For corner lots in residential zones, the street setback is measured from the street right-of-way that is the property's street address and primary access. The other lot frontage is referred to as the side street setback.
3. Street setbacks for garages apply to the front doors of individual private garages and do not apply to underground or aboveground parking structures shared by multiple residents or tenants.

C. Interior side setback. The interior side setback is measured from the side lot line adjacent to another property to a line parallel to and measured perpendicularly from the side lot lines at the depth prescribed for each zone.

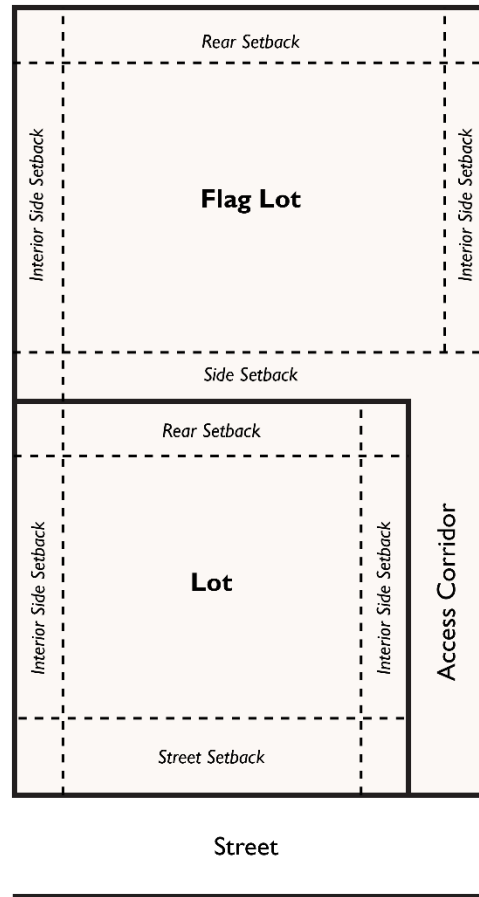
Exception: No interior side setback is required between individual units within a townhouse building, where allowed.

D. Interior side setback - upper floors. The interior side setback for the portion of the building above the floor level of the second floor is measured as provided in subsection (C) above, except the measurement is to the portion of the structure above the floor level of the second floor.

E. Rear setback. The rear setback is measured from the rear lot line to a line parallel to and measured perpendicularly from the rear lot lines at the depth prescribed for each zone.

F. Setbacks for flag lots. Flag lots are exempt from street setback requirements. Flag lots must have a rear lot line designated, typically opposite from the access corridor (the pole of the flag), and all other lot lines are considered side lot lines [see Figure 19.42.130(B)].

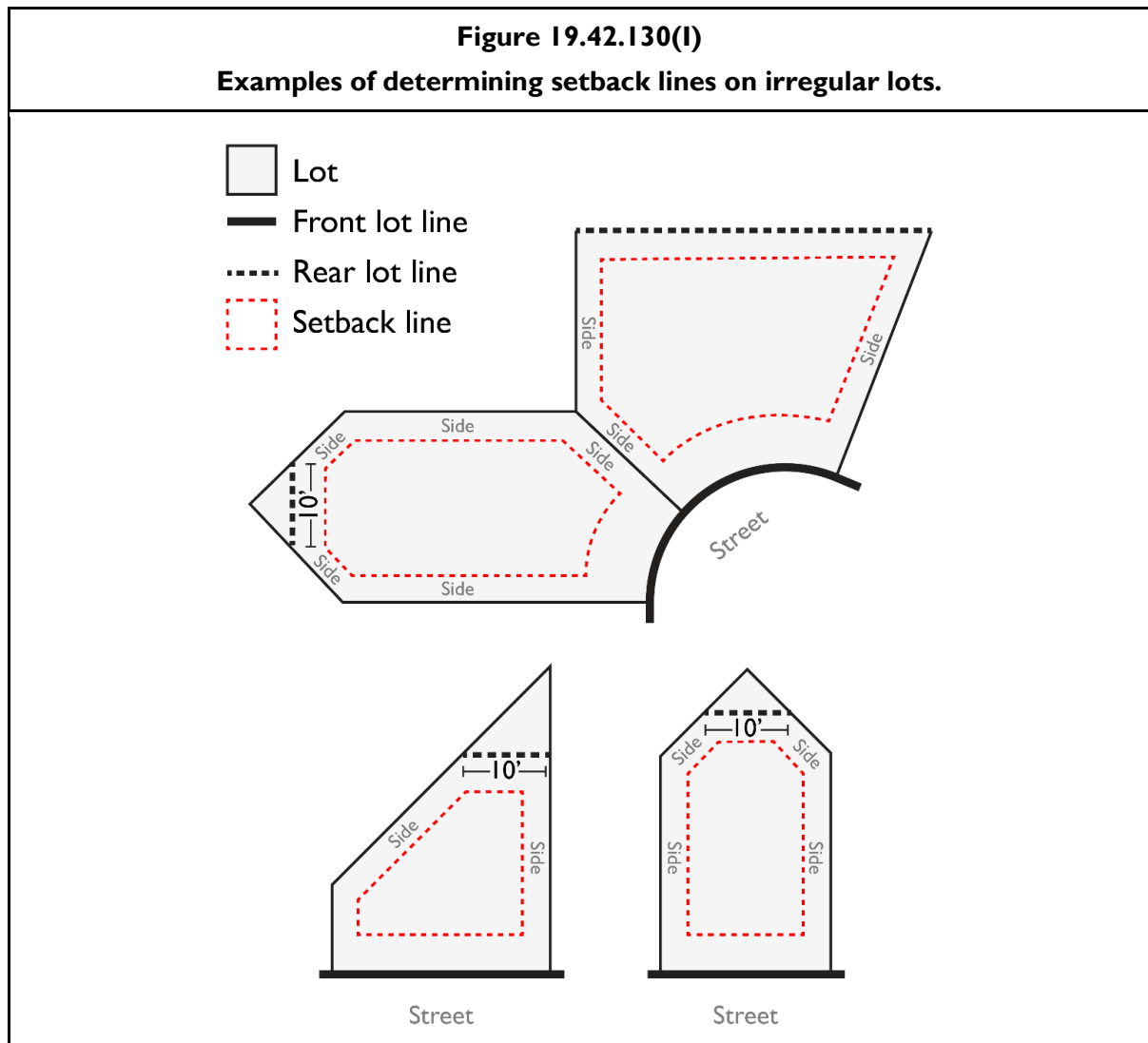
Figure 19.42.130(B)
Setbacks on flag lots.



Flag lots are exempt from providing street setbacks.

- G. Setbacks for lots served by shared driveways.** See 19.54.040(E) for applicable standards.
- H. Through lots.** For lots featuring streets on opposite ends, the street setback is measured from the street right-of-way that is the property's street address and primary access. The opposite lot frontage is considered the rear setback.
- I. Setback measurements for irregular lots.** Setback distances established for residential zones are based on rectangular lots. Nonrectangular lots, lots with three sides or more than four sides, curved property lines, and other nonstandard lots require special measurement techniques in order to achieve the purpose of setback requirements:
 - 1. Rear setbacks. In the case of an irregularly shaped lot, a ten-foot line which is within the lot and parallel to and most distant from the front lot line must be considered the rear lot line for purposes of determining required setbacks and for interpretation of other provisions of this code (see illustration).
 - 2. Interior side setbacks. All lot lines which are not front or rear lot lines must be considered interior side lot lines for the purpose of measuring setbacks.

3. Determination by director. Where a building site is situated in such that it is unclear which should be considered the front, rear, and sides, required setbacks must be as determined by the director in compliance with the following criterion: required setbacks must not permit the placement of buildings on the site in a manner that will constitute a grant of special privileges inconsistent with the limitations placed on other properties in the vicinity and incompatible with surrounding uses.



19.42.140 - Permitted projections into required setbacks.

The following structures may extend into or be located in required setbacks:

- A. Fireplace structures, bay or garden windows, or similar structures may project 30-inches into a street or rear setback, provided such projections are:
 - 1. Limited to two per building elevation.
 - 2. Not wider than ten-feet.
 - 3. Do not extend the floor area or foundation into the setback.
- B. Eaves, cornices, awnings, and window shades may not project more than:
 - 1. Three-feet into a street or rear setback.
 - 2. Two-feet into the interior side setback.
- C. Covered porches and entries may project up to six-feet into the street setback.
- D. Uncovered porches and decks may project up to six-feet into the street or rear setbacks.
- E. The following features are permitted within the required street setback:
 - 1. Mailboxes, newspaper boxes, and free neighborhood book exchange boxes.
 - 2. Fire hydrants and associated appendages.
 - 3. Bus shelters.
 - 4. Monument signs complying with AMC Chapter 19.67 Signs.
- F. The following features are permitted within any required setback:
 - 1. Utility poles and lines.
 - 2. Underground utilities and sprinkler systems.
 - 3. Light and flagpoles.
 - 4. Trellises and open, un-roofed gazebos not exceeding eight-feet in height.
 - 5. Electrical equipment cabinets and similar utility boxes and vaults.
 - 6. Stormwater facilities and elements of stormwater best management practices, unless a minimum setback is otherwise specified in this title or in the adopted stormwater management manual.
 - 7. Fences complying with AMC Chapter 19.66 Fences, Walls, and Hedges.
 - 8. Uncovered porches and decks not exceeding 18-inches average height above the finished grade.
 - 9. Rockeries and retaining walls in conformance with the standards in AMC 19.66.070.
 - 10. Enclosures for solid waste collection and storage when in compliance with the standards of AMC 19.62.070(B) and (C).
 - 11. Ramps added to an existing building for the specific purpose of accessibility for persons with disabilities when no other reasonable location is available
- G. No projections are allowed into a regional utility corridor, access easement, or utility easement.

19.42.150 - Setback modifications.

- A. A lot adjoining a planned street identified in the comprehensive plan, transportation plan, and/or capital improvement program must provide a street setback along the planned street meeting the same standards as though the street were already constructed.
- B. Along any mixed-use or industrial property line adjoining a residential zone with no intervening street or alley, the minimum setback must be the same as the applicable minimum setback for the adjacent zone.
- C. The setbacks for Skyline #6 PUD must be one-half of the minimum setback of the underlying zone for street and interior side setbacks with a minimum of five-feet. The rear setback must be one-half of the minimum setback of the underlying zone except that for measurement purposes the width of community-owned property directly to the rear of each lot may be used for distance to property line measurement. This use of community owned property must not reduce the rear yard setback from property line to less than five-feet.

19.42.160 - Old Town supplemental form and intensity standards.

The provisions herein apply in addition to the form and intensity standards in Table 19.42.020. These standards seek to encourage sensitively designed infill in keeping with the existing character of Old Town. To maintain the scale of buildings currently existing in Old Town, it is important that the scale of surrounding buildings be taken into consideration when designing additions and new buildings.

- A. The principal building may cover up to 35-percent of the lot. Where there are multiple buildings on one lot, they are limited to 50-percent lot coverage.
- B. Exceptions to the height limit in Table 19.42.020: Maximum building height may be increased to a maximum of 30-feet if two conditions are met:
 - 1. The upper floor may not contain a floor area greater than 80-percent of the floor below.
 - 2. No exterior wall higher than 25-feet may be closer to an adjacent property line than 15-feet.
- C. If a structure covers more than 3,000-square-feet of land, or if two or more structures on a lot cover more than 4,000-square-feet of land, the following additional requirements apply:
 - 1. The minimum side yard setback is ten-feet.
 - 2. For each 200-square-feet of land coverage beyond the above limits, the minimum side yard setback must be increased by one foot.
- D. Detached garages must be set back a minimum of 50-feet from the street property line on a numbered street.
- E. No new driveway is permitted on a numbered street serviced by an alley. See AMC 19.53.030(B)(3) for driveway alley access standards.
- F. Any roof above 14-feet must have a minimum roof pitch of 4:12, except for roofs on porches, dormers, bay windows, and similar appurtenances.
- G. The maximum continuous wall length must be 40-feet. Buildings may be longer but must incorporate setbacks, recesses, porches, balconies, bay windows or offsets of at least 18-inches in depth and at least eight-feet in length and height so that no increment of wall exceeds 40-feet.

19.42.170 - Aeronautical zone form and intensity standards.

A. Minimum lot size.

No minimum.

B. Minimum setback requirements.

Within the AZ zone, all structures must be setback as follows:

1. Aeronautical area, as defined in the development agreement. No setback from the buffer areas. Due to the proximity of the aircraft operations areas to the existing property line of the Anacortes Airport, a ten-foot setback on all other parts of the aeronautical area. If additional property is added to the aeronautical area, then the setback will be subject to change.
2. Anacopper Future Process Area and North Aviation Area, as defined in the development agreement; the setback will be determined as part of the conditional use process.

Notwithstanding the foregoing, within the Rockwell Reserve and Panhandle Reserve Areas, airport and aeronautical/aviation safety features, walking trails, and landscaping are permitted; within the ten-foot setback area, airport and aeronautical/aviation safety features, fencing structures up to eight-feet, and landscaping uses are permitted. Provided further, within the Anacopper Future Process Area and the North Aeronautical Area airport and aeronautical/aviation safety features, fencing structures up to eight-feet and landscaping, uses are permitted subject to the mitigation contained in the development agreement.

The exception set forth above for fences should be interpreted to mean that fences (along with landscaping) are permitted within the setback. Even if a fence is considered a “structure” under the building code due to a height over six-feet, it is still a “fence” under the exception and could be placed within the setback without a variance, conditional use permit, or any other discretionary permit required; provided, however, that compliance with an approved mitigation plan, required under subsection AMC 19.41.080(D)(5) is required. For example, airport property and/or facility security fencing over six-feet in height may be located along the perimeter of the property, or where deemed necessary by the entity operating an airport, to ensure adequate security of airport premises, but is subject to mitigation as provided herein.

This setback or buffer area is mitigation for development outside of the setback/buffer area, in addition to wetland and land clearing mitigation requirements.

C. Maximum density.

No maximum.

D. Maximum land coverage.

The maximum land coverage by buildings is 60-percent of the parcel size, as identified by the port, with such parcel size including any buffer or setback area not already allocated to another parcel. For the purposes of calculating the buildable area as required (open space requirement), the port may allocate any portion of the 75-foot buffer area within the Rockwell Reserve and Panhandle Reserve Areas that has not already been allocated to any portion of the aeronautical area being developed.

E. Maximum building height.

The maximum building height is 35-feet; provided, however, that buildings over 35-feet, but less than 50-feet or under, are subject to approval through the conditional use process and related criteria. Buildings above 50-feet are prohibited.

19.42.180 - Public Use zone form and intensity standards.

Single-family dwellings in the Public Use zone must comply with the form and intensity standards of the R2A zone. All other development in the Public Use zone is subject to the form and intensity standards of subsections (A) through (E) below.

A. Minimum lot size.

No minimum.

B. Minimum setback requirements.

No minimum, except development is subject to the block frontage standards (AMC Chapter 19.61 Block Frontage Standards) and the setback standard of 19.42.160(B).

C. Maximum density.

No maximum.

D. Maximum land coverage.

No maximum.

E. Maximum building height.

35-feet.

Chapter 19.43 - RESIDENTIAL USES

19.43.010 - Household living.

A. Household living use category.

Residential occupancy of a dwelling unit by a household. Household living includes the following uses.

1. Single-family.
2. Single-family, small lot.
3. Cottage housing.
4. Duplex.
5. Triplex.
6. Townhouse.
7. Multifamily, 4 or more units.
8. Live-work.

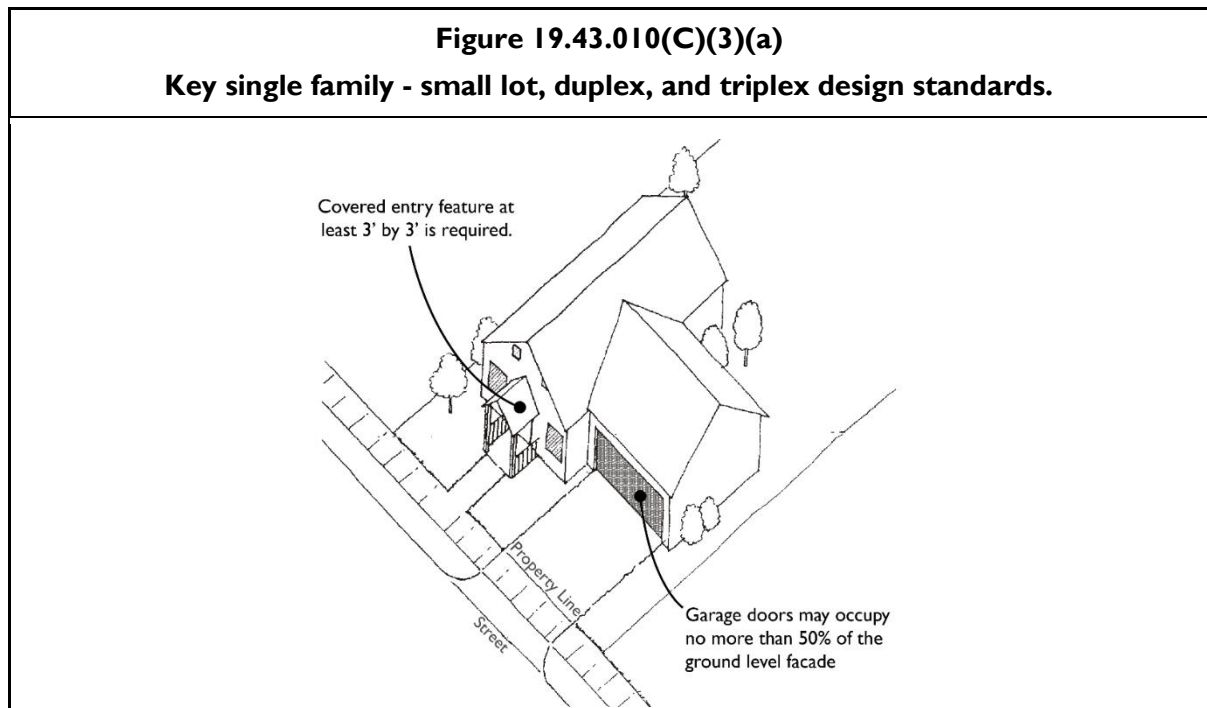
B. Single-family.

1. Definition. A detached dwelling that is entirely surrounded by open space on the same lot, and which is designed for and occupied exclusively by one family and the household employees of the family, if any.
2. District-specific standards.
 - a. In the CBD and C zones, no new single-family residences may be constructed. Single-family uses are conditionally permitted in these zones if in an existing building that was a single-family residence at some time in its past.
 - b. In the LMI zone single-family uses are permitted only for existing platted lots. In no event will this allow a residential subdivision.
3. Standards - multiple single-family dwellings on one lot. Two or more single-family dwellings may be built on the same lot provided the applicable lot size standard (one dwelling unit/minimum lot area for single-family dwellings) is met. For example, if the minimum lot area for single-family dwellings is 7,500-square-feet, two single-family dwellings could be built on a 15,000-square-foot lot. Applicants must demonstrate how the lot could be subdivided in the future consistent with the density and dimensional standards of this title.

4. Driveway and access easement standards: See AMC 19.53.030.

C. Single-family, small lot.

1. Definition. A detached single-family dwelling that is on a lot that has less than 5,000-square-feet in net lot area.
2. Purpose.
 - a. To enhance the character of the street and neighborhood.
 - b. To maintain “eyes on the street” for safety to pedestrians and to create a more welcoming and interesting streetscape.
 - c. To de-emphasize garages and driveways as major visual elements along the street.
 - d. To provide usable open space for residents.
3. Standards. The following standards apply in addition to the general single-family standards in AMC 19.43.010(B)(2-3).
 - a. Entry standards.
 - i. Clear and obvious pedestrian access between the sidewalk (or the street if there is no sidewalk) and the building entry is required for new dwellings. The driveway may be used for pedestrian access.
 - ii. All new dwellings must provide a covered pedestrian entry with minimum weather protection of three-feet by three-feet (a covered porch or recessed entry).



- b. Driveway access and garage standards.
 - i. See AMC 19.53.030 for driveway and access easement standards.

- 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.

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



A decorative trellis over the garage door.

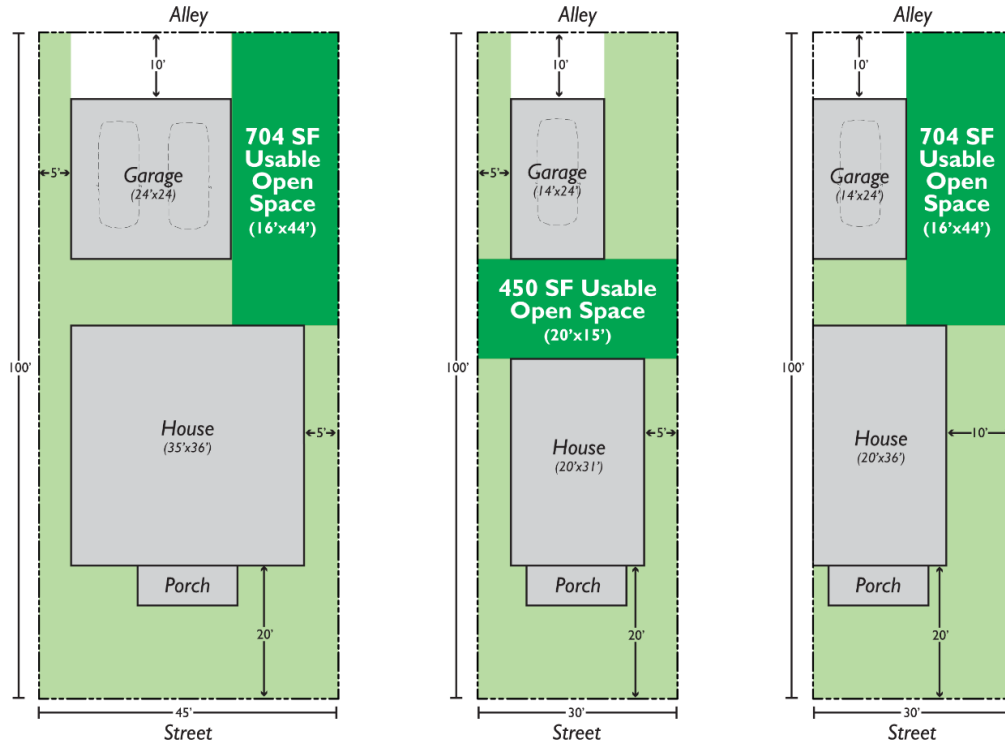


A balcony over the garage, single doors (instead of a wider double door), and windows above the garage on a second story.

- c. Standards for minimum useable open space for small alley-loaded lots.
 - i. All new alley-loaded small lot dwelling units must provide a contiguous open space to the side or rear of the dwelling with a minimum dimension of 15-feet on all sides.
 - ii. The open space(s) must be equivalent to 10-percent (minimum) of the lot area. For example, a 4,000-square foot lot would require a contiguous open space of at least 400-square-feet, or 20-feet by 20-feet in area.
 - iii. Covered but unenclosed decks and porches may be used as a part of the usable open space provided they are a part of a space that meets the standards herein.
 - iv. LID stormwater BMPs, like rain gardens, may be integrated in up to 25-percent of the minimum required usable open space area.
 - v. Drive aisles must not count in the calculations for usable open space.
 - vi. Additions must not create or increase any non-conformity with this standard.

Figure I9.43.010(C)(3)(c)

Examples of how to provide the minimum amount of usable open space.



4,500 SF Lot
450 SF usable open space required

3,000 SF Lot
300 SF usable open space required

**3,000 SF Lot
Zero Lot Line**
300 SF usable open space required

See AMC I9.53.040(A) for zero lot line standards.

D. Cottage housing.

1. Definition. A small single-family dwelling that is clustered with other similar units sharing a common open space.
2. Purpose.
 - a. Provide opportunities for creative, diverse and high-quality infill development that is compatible with existing neighborhoods.
 - b. Promote housing affordability and greater choice by encouraging smaller and more diverse home sizes in accordance with the Anacortes Comprehensive Plan.
 - c. Support compatibility with existing neighborhoods by promoting high-quality design.
 - d. Support more efficient use of urban residential land.
 - e. Enhance the character of the residential neighborhood.
 - f. Provide usable open space for residents.

Figure 19.43.010(D)(1)
Cottage housing development examples.



Figure 19.43.010(D)(2)
Cottage housing site plan example.



3. Standards.

- a. Lot size. Cottages are exempt from minimum lot area and lot width circle standards provided they comply with density and design standards herein.
- b. Density. Due to the smaller relative size of cottage units, each cottage may be counted as one-half a dwelling unit for the purpose of calculating density. For example, a cluster of six cottages would be equivalent to three dwelling units.
- c. Minimum and maximum number of cottages.
 - i. Cottage housing developments must contain a minimum of three cottages.
 - ii. Three to 12 cottage structures may make up a cluster. There is no limit on the number of clusters provided all other standards are met.
 - iii. In the R3, R3A, R4, and R4A zones, attached duplex cottages are allowed.
- d. Setbacks and separation.
 - i. The minimum setbacks set forth in Table 19.42.020 apply to development frontage and external side and rear property lines of the entire cottage development.
 - ii. Individual cottages must be separated from other cottages by at least ten-feet. Permitted projections into required interior side setback in AMC 19.42.140 apply.
 - iii. Cottages must be setback at least five-feet from any internal pedestrian path. Permitted projections into required street setback in AMC 19.42.140 apply.
 - iv. Cottages must be setback at least ten-feet from any internal access lanes that provide access to four or more cottages. For access lanes serving less than four cottages, at least

five-feet of separation is required between access lanes and cottages. Permitted projections into required street setback in AMC 19.42.140 apply for setbacks to internal access lanes.

e. Building height.

- i. Cottages have a maximum building height of 25-feet. All parts of the roof above 18-feet must be pitched with a minimum roof slope of 6:12.
- ii. Accessory structures in cottage housing developments are subject to the standards in AMC 19.47.020.

f. Cottage size. Cottages must contain no more than 1,200-square-feet gross floor area in total, not including attached garages.

g. Entries.

- i. Clear and obvious pedestrian access between the sidewalk (or the street if there is no sidewalk) and the building entry is required for new dwellings.
- ii. All new dwellings must provide a covered pedestrian entry with minimum weather protection of three-feet by three-feet (a covered porch or recessed entry).

h. Façade transparency. Transparent windows and/or doors are required on at least eight-percent of façades featuring the primary entrance and facing streets and common open spaces. For corner lots, this standard is only applied to the elevation containing the primary entrance.

i. Common open space.

- i. Minimum size. Common open space must be at least 400-square-feet per cottage.
- ii. Minimum dimensions. Common open space must have no dimension less than 15-feet. Areas used to meet private open space requirements may not be double-counted as common open space.
- iii. Elements. Common open space may include a lawn, courtyard, plaza, garden, or other shared central open space and may not include parking areas. Common open space must be useable and may not include critical areas or critical area buffers, including steep slopes. LID stormwater BMPs, like rain gardens, may be integrated in up to 25-percent of the minimum required usable open space area.
- iv. Orientation. Common open space must have cottages abutting on at least two sides. At least 50-percent of the cottages in each cottage housing cluster must abut common open space. Cottages abutting the common open space must be oriented around and have the primary entrance face the common open space.
- v. Access. Cottages must be within 100-feet walking distance of the common open space and feature a direct pedestrian connection to the common open space.

j. Shared community buildings.

- i. A shared community building may be integrated into the common open space area required in subsection (3)(i) above but must not be included in the minimum common open space area calculations.
- ii. Non-residential use. A shared community building may include uses such as, but not limited to, a multi-purpose entertainment space, recreation center, kitchen, library, storage space, workshop, or similar amenities that promote shared use and a sense of

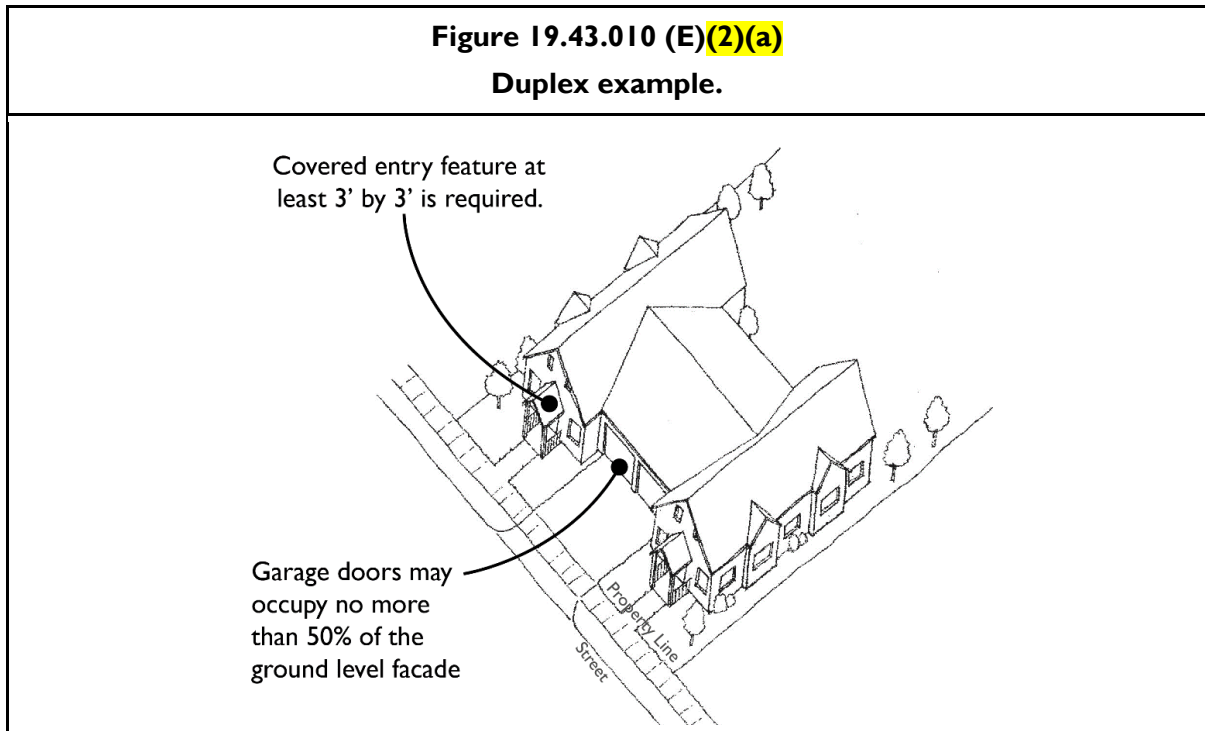
- community. Commercial uses other than Day Care I [see AMC 19.44.010(B)(2)(a)] are prohibited.
- iii. Residential use. A shared community building may contain one attached accessory dwelling unit (see AMC 19.47.030).
 - iv. Height. Shared community buildings have a maximum building height of 25-feet. All parts of the roof above 18-feet must be pitched with a minimum roof slope of 6:12.
 - v. Size. Shared community buildings have a maximum ground floor footprint of 1,200-square-feet.
 - vi. Other standards. Except for the height and size exceptions identified in subsections (iv) and (v) above, shared community buildings are subject to the accessory structure standards in AMC 19.47.020
- k. Private open space.
- i. Minimum size. The minimum private open space adjacent to each cottage must be at least 200-square-feet.
 - ii. Minimum dimensions. The private open space must have no dimension less than ten-feet.
 - iii. Access. The private open space must have direct access from the cottage via a door or porch.
 - iv. The required porch [see subsection (v) below] does not count as private open space for the size or dimension requirements of this section. The private open space is encouraged to be located between the cottage and the common open space.
 - v. Porches. Cottage façades facing the common open space or common pathway must feature a roofed porch at least 70-square-feet in size with a minimum dimension of seven-feet on any side. Cottages sited between a street and the common open space are also subject to the entry requirements in subsection (D)(3)(g) above.
 - vi. Private open space must be useable and may not include critical areas or critical area buffers, including steep slopes.
- l. Access and parking.
- i. Driveway and access requirements are in AMC Chapter 19.53.
 - ii. Off-street parking standards, including guest parking provisions, are set forth in AMC 19.64.030-040.
 - iii. Parking areas must be located to the side or rear of cottage clusters. Parking must not be located between the street and cottages nor between cottages and common open space.
 - iv. Parking and access lanes must be screened from adjacent residential uses by landscaping or architectural screens. For parking areas and access abutting residential uses, at least five-feet of Type-A, B, or C Landscaping (see AMC 19.64.050) must be provided between the parking area and the abutting residential use.
 - v. Parking is encouraged to be consolidated under cover. Uncovered parking must be located in clusters of not more than five adjoining spaces (except where adjacent to an alley). Driveway space in front of private garages are exempt from this provision.
 - vi. Garages with a footprint of up to 300-square-feet may be attached to individual cottages provided all other standards herein are met. Such garages do not count toward the size limit of cottages. Such garages must not be located adjacent to the common open spaces.

DEPARTURES to the garage/common open space standard will be considered provided the combination of 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.

- vii. No more than one driveway per cottage cluster may be permitted, except where clusters front onto more than one street.
- m. Landscaping. The minimum landscaped area requirements per Table 19.42.020 apply to the whole cottage development rather than for individual cottage dwellings.
- n. Accessory dwelling units are not permitted in cottage housing developments, except as provided in subsection (3)(j) above.

E. Duplex.

1. Definition. A building that is entirely surrounded by open space on the same lot and contains two dwelling units.
2. Standards.
 - a. Duplexes are subject to the entry standards for single-family small lot [AMC 19.43.010(C)(3)(a)]. The entries for individual units may be grouped (with a shared path connecting grouped entries to the sidewalk) or separated [as illustrated in Figure 19.43.010(E)].



- b. See AMC 19.53.030 for general driveway and access easement standards. Separate driveways are permitted for each unit provided each driveway is limited to 12-feet in width and meets driveway separation standards in AMC 19.53.030(D).
- c. Standards for minimum useable open space.
 - i. All new duplex units must provide a contiguous open space with a minimum dimension of 15-feet on all sides.
 - ii. The minimum collective size of usable open space is 10-percent of the lot area. For example, an 8,000-square foot lot would require at least 800-square-feet of usable open space, which could include separate 20-feet by 20-feet usable open spaces for each unit.
 - iii. Where the usable open space is configured within the street setback, the open space must be defined with a fence or wall (meeting the standards of AMC Chapter 19.66). See Figure 19.43.010(E)(2)(d) for an example.
 - iv. Covered but unenclosed decks and porches may be used as a part of the usable open space provided they are a part of a space that meets the standards herein.

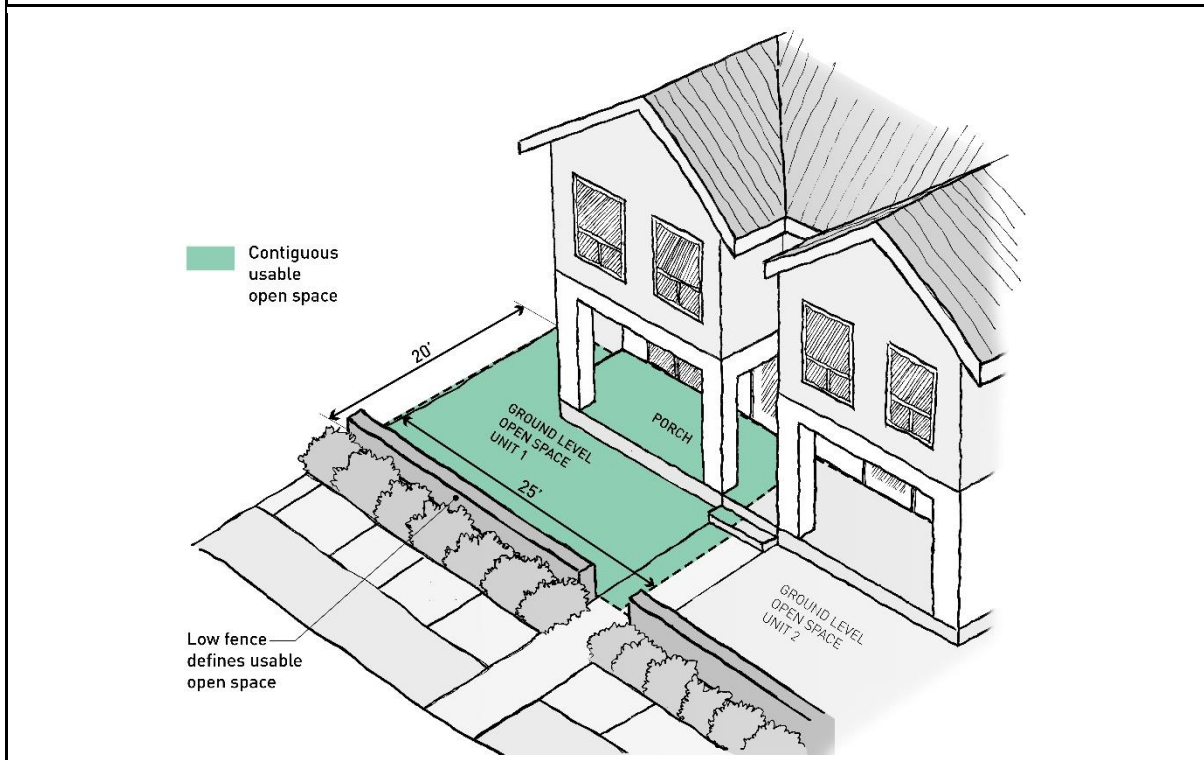
v. LID stormwater BMPs, like rain gardens, may be integrated in up to 25-percent of the minimum required usable open space area.

vi. Drive aisles must not count in the calculations for usable open space.

vii. Additions must not create or increase any non-conformity with this standard.

Figure 19.43.010 (E)(2)(c)

Example of integrating a duplex's minimum usable open space into the street setback.



3. Multiple duplexes may be built on the same lot provided the minimum lot size per duplex is met (see AMC Table 19.42.020) and other standards above are met.

F. Triplex

1. Definition. A building that is entirely surrounded by open space on the same lot and contains three dwelling units.
2. Standards.
 - a. Triplexes are subject to the entry standards for single-family small lot [AMC 19.43.010(C)(3)(a) and (b)]. The entries for individual units may be grouped (including a shared path connecting grouped entries to the sidewalk) or separated.
 - b. See AMC 19.53.030 for general driveway and access easement standards. Separate driveways are permitted for each unit provided each driveway is limited to 12-feet in width and meets driveway separation standards in AMC 19.53.030(D).
 - c. Standards for minimum useable open space.
 - i. All new triplex units must provide a contiguous open space with a minimum dimension of 15-feet on all sides.
 - ii. The minimum collective size of usable open space is 10-percent of the lot area. For example, an 8,000-square foot lot would require at least 800-square-feet of usable open space, which could include separate 20-feet by 20-feet usable open spaces for each unit.
 - iii. Where the usable open space is configured within the street setback, the open space must be defined with a fence or wall (meeting the standards of AMC Chapter 19.66). See Figure 19.43.010(E)(2)(d) for an example.
 - iv. Covered but unenclosed decks and porches may be used as a part of the usable open space provided they are a part of a space that meets the standards herein.
 - v. LID stormwater BMPs, like rain gardens, may be integrated in up to 25-percent of the minimum required usable open space area.
 - vi. Drive aisles must not count in the calculations for usable open space.
 - vii. Additions must not create or increase any non-conformity with this standard.
3. Multiple triplexes may be built on the same lot provided the “additional lot size needed for additional dwelling unit beyond duplex, minimum”, per AMC Table 19.42.020, is met.

G. Townhouses.

1. Definition. A dwelling unit in a row of at least three such units in which each unit has its own front access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common walls.
2. Purpose.
 - a. To enhance the character of the street.
 - b. To maintain “eyes on the street” for safety to pedestrians and to create a more welcoming and interesting streetscape.
 - c. To de-emphasize garages and driveways as major visual elements along the street.
 - d. To provide usable open space for residents.
 - e. To reduce the apparent bulk and scale of large townhouse buildings.
 - f. To promote architectural variety that adds visual interest to the neighborhood.
3. Zone-specific standards.
 - a. R3 and R3A zone standards: Townhouse structures with up to four attached units are permitted by right in the R3A zone and conditionally permitted in the R3 zone. Townhouse structures with more than four attached units are prohibited in the R3 and R3A zones.
 - b. R4 and R4A zone standards: Townhouse developments have the following form and intensity adjustments from Table 19.42.020:
 - a. Maximum lot coverage: 60-percent.
 - b. Minimum landscaped area: 15-percent.
 - c. In the MMU zone east of Q Avenue, townhouses 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).
 - d. C zone standards:
 - i. Townhouses that do not meet the standards for live-work dwellings that front on Commercial Avenue within the C zone are prohibited.
 - ii. Townhouses that don’t meet the standards for live-work dwellings are prohibited within the C zone south of 41st Street.
5. Setbacks. The minimum setbacks set forth in Table 19.42.020 apply to development frontage and external side and rear setbacks of the entire townhouse development. See AMC 19.42.140(C) for exemptions involving interior side setbacks for townhouses.
6. Entries.
 - a. Clear and obvious pedestrian access between the sidewalk (or the street if there is no sidewalk) and the building entry is required for new dwellings.
 - b. All new dwellings must provide a covered pedestrian entry with minimum weather protection of three-feet by three-feet (a covered porch or recessed entry).

- c. For townhouses where the primary pedestrian access to the dwelling is from an alley or private internal vehicular access, buildings must emphasize individual pedestrian entrances over private garages by using both of the following measures:
 - i. Enhance entries with a trellis, small porch, or other architectural features that provides cover for a person entering the unit and a transitional space between outside and inside the dwelling.
 - ii. Provide a planted area in front of each pedestrian entry of at least 20-square-feet in area, with no dimension less than four-feet.

Alternative designs will be considered, provided they meet the purpose of the standards.

Figure 19.43.010(G)(6)

Acceptable and unacceptable examples of garage/entry configurations.

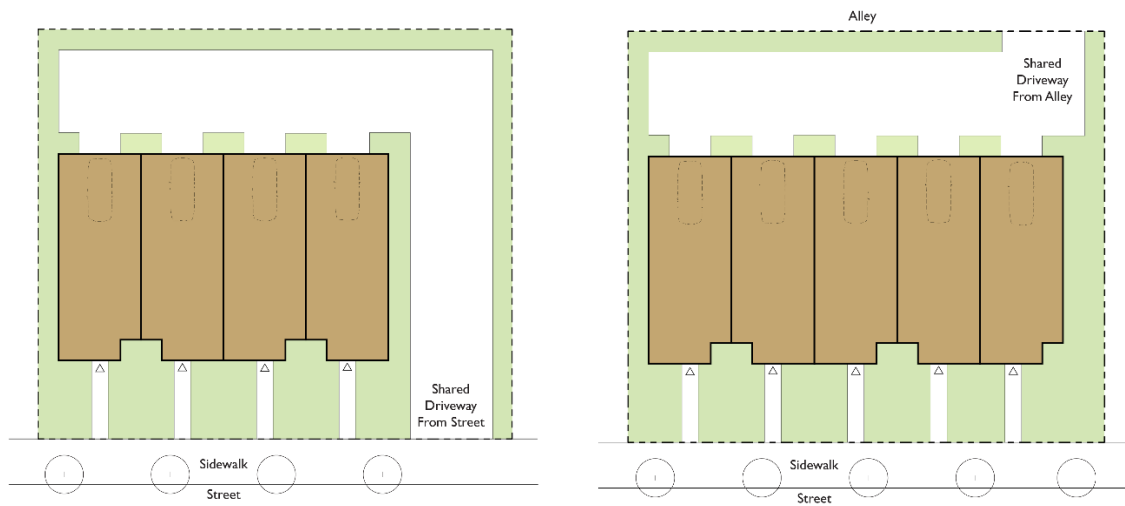


The left example features a landscaped area and a trellis to highlight the entry. In the middle image, the balconies and landscaped areas deemphasize the garage. In the right image, the lack of landscaping near the entries would not be allowed (where this is the primary pedestrian entry to the unit).

7. Façade transparency. Transparent windows and/or doors are required on at least eight-percent of façade area (all vertical surfaces of street-facing elevations). For corner lots, this standard is only applied to the elevation containing the dwelling entry.
8. Private garages facing the street - maximum garage widths:
 - i. Individual garages facing the street are not allowed for townhouse dwellings unless they are designed to meet driveway standards in AMC 19.53.030. Garages may be provided to the rear of the dwelling via alley access or shared driveway as depicted in Figure 19.43.010(G)(8).
 - ii. Individual garages facing the street (where allowed) are limited to 12-feet in width.

Figure 19.43.010(G)(8)

Townhouse development examples using side/rear vehicular access.



Both examples show a driveway with private garages placed to the rear of units. In the left image there is no alley and access is provided from the street. In the right image access from an alley is available and access is provided from the alley.

9. Access and parking:

- a. Off-street parking standards for townhouses are set forth in AMC 19.64.040 as a type of multifamily residential use (based on the number of bedrooms).
- b. See AMC 19.53.030 for driveway and access standards.
- c. Internal drive aisle standards:
 - i. Must meet minimum widths and other standards such as turning radii of the city-adopted International Fire Code.
 - ii. Minimum building separation along uncovered internal drive aisles must be 24-feet. Projections into this minimum building separation standard are permitted for each building consistent with the “interior side setback” projections referenced in AMC 19.42.150. The purpose is to provide adequate vehicular turning radius, allow for landscaping elements on at least one side, and to provide adequate light and air on both sides of the dwelling units and vehicle areas, which often function as usable open space for residents.

10. Usable open space. Townhouse dwelling units must provide open space at least equal to ten-percent of the gross floor area. The required open space may be provided by one or more of the following:

- a. Private ground level open space that is directly adjacent and accessible to dwelling units. Such space must have minimum dimensions of at least 12-feet on all sides and be configured to accommodate human activity such as outdoor eating, gardening, toddler play, etc. Street setbacks may be used to meet this standard, provided they are defined with a fence (meeting standards of AMC Chapter 19.66 Fences, Walls & Hedges).
- b. Balconies, roof decks or porches.

c. Shared open space that meets the design requirements of AMC 19.62.040(B)(2), provided such space is visible and directly accessible to townhouse dwelling units.

d. LID stormwater BMPs, like rain gardens, may be integrated in up to 25-percent of the minimum required usable open space area.

Individual private open spaces for one unit that exceed the open space standards may not be used to help meet the open space standards for other dwelling units. Shared open spaces that meet the standards of subsection (c) above, however, may be used to supplement private open spaces meeting subsections (a) and (b) above to help dwelling units meet the usable open space standards herein.

Figure 19.43.010(G)(10)

Examples of usable open space adjacent to townhouse units.



The townhouses above include private ground level open space (a) and balconies (b).



Private ground-level open spaces.



"Freedom Park" qualifies as shared open space and may be used to help those townhouses adjacent to the space meet their minimum usable open space requirements.

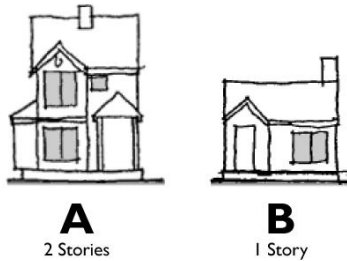
11. Building design.

- a. Townhouse articulation. Townhouse buildings must comply with residential building articulation standards in AMC 19.63.030(C) except that the articulation intervals must be no wider than the width of units in the building. Thus - if individual units are 15-feet wide, the building must include at least three articulation features for all façades facing a street, common or other shared open space, and common parking areas at intervals no greater than 15-feet.
- b. Repetition with variety. See Figures 19.43.010(H)(11)(a) and (b). Townhouse developments must employ one or more of the following “repetition with variety” articulation guidelines:
 - i. Reversing the elevation of two out of four dwellings [see Figure 19.43.010(H)(11)(a)].
 - ii. Providing different building elevations for external (units on the end or corner of a building) townhouse units (versus internal units) by changing the roofline, articulation, windows, and/or building modulation patterns.
 - iii. Adding a different dwelling design or different scale of the same design, such as adding a one-story version of the basic dwelling design where two-stories are typical (or a two-story design where three stories are typical).
 - iv. Other design treatments that add variety or provide special visual interest, such as different cladding materials, window sizes and groupings, roof slopes, porch designs, balconies, etc. While the variable use of color on buildings can be effective in reducing the perceived scale of the building and adding visual interest, color changes alone are not sufficient to meet the purpose of the standards.

Figure 19.43.010(G)(II)(a)

Acceptable townhouse configuration employing the repetition with variety concept.

Base Building Types



Example Configurations

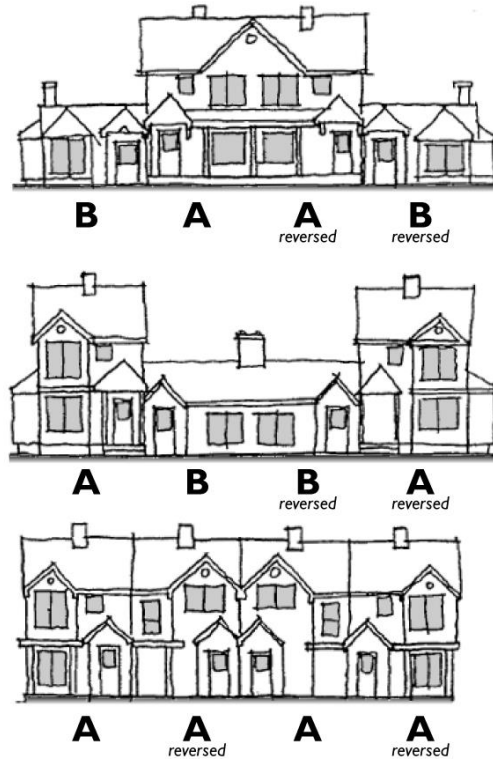


Figure 19.43.010(G)(II)(b)

Acceptable townhouse buildings integrating the “repetition with variety guidelines.”



The internal units in the left image each have distinct, but identical windows and roof forms. The outside unit is differentiated through the use of building materials, window design, unit size, and façade detailing. The internal and external units in the right example include reverse elevations.

H. Multifamily.

1. Definition. A building that contains four or more dwelling units. The term also includes any dwelling units that are within a mixed-use building.
2. Standards. Multifamily uses are subject to design provisions in Division 6, including block frontage standards, site planning, building design, and landscaping.
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.
4. CM zone standards: Multifamily uses are conditionally permitted provided it can be demonstrated that the use will not weaken the zone's tourist or marine-oriented purpose, nor diminish the marine values inherent in the zone such as physical and visual access to waterways and shoreline. Multifamily units that are part of a mixed-use development incorporating commercial marine uses are permitted and single-purpose multifamily developments require a conditional use permit.
5. MS zone standards:
 - a. Multifamily dwellings are conditionally permitted west of Commercial Avenue and south of 2nd Street.
 - b. Residential units must be no larger than 800-square-feet each and constructed within a mixed-use development.
6. C zone standards:
 - a. Single-purpose multifamily uses that front on Commercial Avenue within the C zone are prohibited.
 - b. Single-purpose multifamily uses are prohibited within the C zone south of 41st Street.
7. R4 and R4A zone standards: Multifamily developments have the following form and intensity adjustments from Table 19.42.020, provided at least 50-percent of all required parking is located within and/or below the structure:
 - a. Maximum lot coverage: 75-percent.
 - b. Minimum landscaped area: 15-percent.

I. Multifamily, restricted.

- I. Definition. A dwelling unit restricted to occupancy by a person or persons who satisfy one of the following requirements:
 - a. Meet the minimum age in the definition of “housing for older persons” contained in Section 3607(b)(2) of the Federal Fair Housing Act, as amended.
 - b. Their domestic partners and/or live-in caregivers are 55 years of age or older and/or disabled.
 - c. Are disabled or handicapped regardless of age.

J. Live-work.

- I. Definition. A dwelling unit designed to accommodate a small commercial enterprise on the ground floor and a residential unit above and/or behind. A live-work unit may be designed as any type of household living dwelling unit.
2. Standards.
 - a. Permitted non-residential uses may be those that are permitted in the applicable zone or overlay designation as established by AMC Chapter 19.41 Allowed Uses.
 - b. See standards in other subsections of AMC 19.43.010 for the applicable dwelling type the live-work use resides in.
 - c. The non-residential use may occupy up to 50-percent of the gross floor area of the live-work dwelling.
 - d. The ground floor must be designed to accommodate non-residential uses. This includes an area along the building frontage with:
 - i. Minimum floor to ceiling height: 13-feet.
 - ii. Minimum interior depth: 20-feet.
 - e. The residential use and the non-residential use are subject to the provisions of AMC Chapter 19.64 Parking.

Exception: Where non-residential net floor area is less than 1,000-square-feet and where on-street parking is available along the site’s frontage, uses that require less than four spaces per 1,000-square-feet of net floor area per Table 19.64.040 are exempt from additional off-street parking spaces. For uses in the subject table where “Director decision” is specified, the applicant must supply documentation per AMC 19.64.040(B) that the actual parking demand for the proposed use is less than four spaces.

K. Manufactured home.

- I. Definition. See RCW 35.63.160.
2. Standards. A manufactured home may be placed on any lot where new single-family residences are allowed and must meet the following requirements:
 - a. The manufactured home must be new.
 - b. The manufactured home must be set upon and attached to a permanent foundation, as specified by the manufacturer, and the space from the bottom of the home to the ground must be enclosed by concrete or a permanent wall finished with standard residential materials, which can be either load bearing or decorative.

- c. The manufactured home must comply with applicable design standards for single-family development.
- d. The manufactured home must comply with the state energy code.
- e. The manufactured home otherwise meets all other requirements for a designated manufactured home as defined in RCW 35.63.160.

This section does not override any legally recorded covenants or deed restrictions of record.

19.43.020 - Group living.

A. Group living use category.

Residential occupancy of a structure by a group of people that does not meet the definition of household living. Generally, group living facilities have a common eating area for residents and residents may receive care or training. Group living includes the following uses.

1. Adult family home.
2. Assisted living facility.
3. Nursing home.
4. Rooming house.

B. Adult family home.

1. Definition. A residential home in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. RCW 70.128.140 provides that adult family homes are treated the same as single-family homes under applicable regulations.

2. Standards.

- a. An adult family home must be licensed under RCW 80.128.

b. Use permissions in the CBD and C zones:

- i. An adult family home is permitted use when in an existing single family dwelling.
- ii. An adult family home is conditionally permitted when within an existing building that was a single-family residence at some time in its past.
- iii. An adult family home within a newly constructed single family dwelling is not allowed.

c. Use permissions in the LM zone:

- i. An adult family home is permitted use when in an existing single family dwelling.
- iii. An adult family home within a newly constructed single family dwelling is conditionally permitted.

C. Assisted living facility.

1. Definition. A state-licensed multi-unit establishment which provides living quarters and a variety of limited personal care and at least a minimal amount of supportive health care to individuals who are unable to live independently due to infirmity of age, physical or mental handicap, but who do not need the skilled nursing care of a convalescent center or nursing home. Supportive health care may include health care monitoring, such as assistance with medication, but is limited to health care services which may be provided by a boarding home licensed under Chapter 18.20 RCW. These facilities may consist of individual dwelling units with a full kitchen, partial kitchen or no kitchen. In addition, these facilities may have a communal dining area, recreational facilities (library, lounge, game room, open space), and/or laundry facilities. Assisted living facilities do not include adult family homes, as defined in Chapter 70.128 RCW.
2. Standards.
 - a. Density. For the purpose of calculating maximum density in residential zones, one assisted living facility dwelling unit is counted as one-half of a dwelling unit.

b. Design standards. For the purpose of meeting the project design standards of Division 6, except for AMC 19.64 Parking, this use is considered a multifamily use when interpreting applicability provisions.

3. MMU zone east of Q Avenue standards:

- a. Assisted living facilities are allowed on upper floors throughout the site.
- b. Assisted living facilities 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).

D. Nursing home.

1. Definition. An establishment providing care for persons recovering from an illness or operation or persons made weak or disabled by illness or injury. Such establishments must be duly licensed by the state as a "nursing home" in accordance with current state statutes.

2. Standards.

- a. Design standards. For the purpose of meeting the project design standards of Division 6, except for AMC 19.64 Parking, this use is considered a multifamily use when interpreting applicability provisions.

E. Rooming house.

1. Definition. A dwelling, with a central kitchen and with more than one but fewer than nine boarders, with no more than nine sleeping rooms.

2. Standards.

- a. Design standards. For the purpose of meeting the project design standards of Division 6, except for AMC 19.64 Parking, this use is considered a multifamily use when interpreting applicability provisions.

Chapter 19.44 - COMMERCIAL USES

19.44.010 - Day care.

A. Day care use category.

A facility providing care, protection and supervision of children or adults on a regular basis away from their primary residence. Care is typically provided to a given individual for fewer than 18 hours each day, although the facility may be open 24 hours each day. Day care includes the following uses:

1. Day care I facilities.
2. Day care II facilities.

B. Definition. An establishment for group care of nonresident adults or children. Specifically:

1. Day care includes child day care services, adult day care centers, and all of the following:
 - a. Adult day care, such as adult day health centers or social day care as defined by the Washington State Department of Social and Health Services.
 - b. Nursery schools for children under minimum age for education in public schools.
 - c. Privately conducted kindergartens or pre-kindergartens when not a part of a public or parochial school.
 - d. Programs covering before- and after-school care for school children.
2. Day care establishments are sub-classified as follows:
 - a. Day care I - a maximum of 12 adults or children in any 24-hour period, based within a residential dwelling, and as provided for in RCW 35a.63.215.
 - b. Day care II - over 12 adults or children in any 24-hour period or daycare as a principal use.

19.44.020 – General-service.

A. General-service use category.

Includes a category of uses whose primary activity is the provision of service, rental, and/or repair to boats, vehicles, appliances, tools, electronic equipment, machinery, and other similar products for personal, commercial, or civic use. Specific uses in this category include, but are not limited to:

1. Postal and courier services, post office.
2. Small boat sales, rental, and repair (small boats are less than 40-feet long, 8 ½-feet wide, and 14-feet tall).
3. Appliance repair.
4. Equipment rentals.
5. Electronic or equipment service.
6. Vehicle repair.
7. Commercial vehicle repair.
8. Municipal service facility.
9. Public safety facility.

10. Car wash.

11. Heavy service.

B. Standards for general-service uses with drive-through facilities.

1. Drive-through facilities are prohibited in the CBD zone.
2. Drive-through facilities are subject to the site design standards in AMC 19.62.060(D).

C. Heavy service.

1. Definition. General-service uses that have any exterior service activities or feature exterior storage areas that total greater than 15,000 gross-square-feet or occupy an area larger than the size of the use's principal building.

D. Municipal service facility.

1. Definition. An occupied facility supporting the external and internal operations provided by municipal government, including but not limited to maintenance of water, sewer, stormwater, roads, parks, vehicles, and facilities.

E. Public safety facility.

1. Definition. A facility for the provision of fire and rescue, medical, police, and emergency response services by a governmental entity.

19.44.030 - Medical.

A. Medical use category.

A facility providing medical or surgical care to patients. Some facilities may offer overnight care. This category includes, but is not limited to:

1. Blood plasma donation center.
2. Medical or dental laboratory.
3. Hospital, urgent care, or emergency medical office.
4. Medical office for dentist, chiropractor, osteopath, physician, or other medical practitioner.
5. Medical clinic.
6. Medical day care.

B. R3 zone standards.

No new medical uses are allowed in the R3, R3A, and R4A zones. Expansion of a neighborhood medical or dental office in the R3, R3A, and R4A zones may only occur if such office was in existence and in operation as of the effective date of these regulations.

C. Hospital.

1. Definition. A building designed and used for medical and surgical diagnosis, treatment, and housing of persons under the care of doctors and nurses. Rest homes, nursing homes, convalescent homes, and clinics are not included.

19.44.040 - Office.

A. Office use category.

Activities conducted in an office setting and generally focusing on business, professional, or financial services. Office includes, but is not limited to:

1. Business services including, but not limited to, advertising, business management consulting, data processing, or collection agency.
2. Professional services including, but not limited to, lawyer, accountant, bookkeeper, engineer, architect, **counseling**, sales office, or travel agency.
3. Financial services including but not limited to, lender, investment or brokerage house, bank, call center, bail bonds, insurance adjuster, real estate or insurance agent, or mortgage agent.
4. Charitable institution (not providing housing or shelter).
5. City, county, state, or federal government office.
6. Radio, TV or recording studio, or utility office.
7. Trade, vocational, or business school.

B. CM2 zone standards.

In the CM2 zone office uses must be limited to no more than 50-percent of the ground level of the building.

Exception: This subsection does not apply for office uses which are accessory to another permitted use.

19.44.050 - Overnight lodging.

A. Overnight lodging category.

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

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

B. Bed and breakfast.

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

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

C. Hotel/motel.

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

D. Hostel.

1. Definition. Relatively affordable overnight lodging with shared dormitory-style facilities.

19.44.060 - Parking

A. Parking use category.

Facilities that provide parking as a principal use.

B. Principal use parking standards in residential zones.

1. In the R1, R2, R2A, R3, R3A, R4A, and OT zones parking as a principal use is restricted to public parking supporting a public facility such as a library, park, or trail.
2. In the R4 zone parking as a principal use is restricted to lots abutting the C zone and supporting a mixed-use development in the C zone.

19.44.070 - Passenger terminal.

A. Passenger terminal use category.

Facilities for the takeoff and landing of planes and helicopters, and facilities for trains, boats, buses, taxis or limo services. Passenger terminal includes, but is not limited to:

1. Airport.
2. Airfield, landing strip.
3. Bus passenger terminal, multi-modal facility.
4. Heliport.
5. Railroad station.
6. Taxi dispatch center, limousine service.
7. Ferry terminal, passenger boat terminal.

B. Aeronautical use.

1. Definition. See AMC 19.41.080.

19.44.080 - Personal service.

A. Personal service use category.

Facilities involved in providing personal services to the general public. Personal service includes the following uses.

1. Animal care.

2. Beauty/hair salon.
3. Catering establishment.
4. Cleaning establishment, dry-cleaning or laundry drop-off facility, laundromat, washeteria.
5. Copy center.
6. Funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, pet crematorium.
7. Optometrist.
8. Palmist, psychic, medium, fortune telling.
9. Tailor, milliner, upholsterer.
10. Tattoo parlor, body piercing.
11. Wedding chapel.

B. Animal care - indoor.

1. Definition. Any building or land used, designed, or arranged for the care of animals without outdoor activity. Includes animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter, cattery, kennel, and animal day care.
2. Use standards. No outdoor activity associated with the care of animals is allowed. Also see AMC 6.06.090 Commercial kennels, catteries, pet shops and animal shelters—General conditions for applicable standards.

C. Animal care - outdoor.

1. Definition. Any building or land used, designed or arranged for the care of animals that includes outdoor activity. Includes animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter, cattery, kennel, and animal day care.
2. Use standards:
 - a. Any structure which houses animals which is not fully enclosed and all animal runs must be located at least 100-feet from any lot line and 300 linear-feet from any pre-existing principal residential structure located on another lot.
 - b. All pens and kennels used for housing animals (excluding horses, ponies, and cows) must be surrounded by a black, dark green, or dark brown vinyl coated chain link fence not less than six-feet in height, and enclosed on top, or be located in an enclosed structure.

D. Beauty salons.

1. Definition. Any establishment where cosmetology services are provided, including hair care, nail care, and skin care.

E. Funeral home.

1. Definition. An establishment providing services such as preparing the human dead for burial and arranging and managing funerals, and may include limited caretaker facilities. This classification excludes cemeteries, crematoriums, and columbariums.

19.44.090 - Recreation, indoor.

A. Recreation, indoor use category.

Commercial uses, varying in size, providing daily or regularly scheduled recreation-oriented activities in an indoor setting. The permissions for indoor recreation uses in Table 19.41.050 are based on size (net floor area), with a conditional use thresholds of 10,000-square-feet and 20,000-square-feet in some zones. The indoor recreation category includes, but is not limited to:

1. Adult concessions.
2. Amusement center, game arcade, children's amusement center.
3. Arena.
4. Billiard hall, pool hall.
5. Bingo parlor.
6. Bowling alley.
7. Convention center or conference center.
8. Dance, martial arts, music studio, classroom.
9. Health club.
10. Shooting range.
11. Sports academy.
12. Miniature golf facility.
13. Movie-theater or other indoor theater.
14. Skating rink or roller rink.
15. Swimming pool.
16. Extreme sports facility.

B. Special indoor recreation uses. The following uses fall under the "recreation, indoor" use category, but due to their unique attributes come with their own use permissions and standards. These uses are not subject to the net floor area parameters under the civic use permissions in Tables 19.42.020-.030.

- I. Adult concessions.
 - a. Adult entertainment and retail taken together as "concession," and defined in Section 5.35.030, are recognized as being uses that may prove detrimental in certain circumstances to its surrounding neighborhoods and thereby requiring the following regulations.
 - b. Zone-specific requirements.
 - i. In the C zone, adult retail is only permitted south of 22nd street.
 - ii. In the LMI zone, adult concessions are only permitted between Christiansen Road and Reservation Road.
 - iii. In the HM zone, adult entertainment are only permitted north of South March Point Road and east of Reservation Road.
 - c. No adult concession may be located within the specified distance of the following uses:

- i. One hundred-feet of any public or private school, or any trade or vocational school that on a regular basis has at least one student under the age of eighteen years.
 - ii. One hundred-feet of any religious institution.
 - iii. One hundred-feet of any park or any public facility or P zone.
 - iv. Three hundred-feet of another adult concession.
 - v. For adult entertainment, 100-feet of any residential zone.
 - vi. For adult retail, thirty-feet of any residential zone.
- d. The distance provided herein must be measured by following a straight line, without regard to intervening buildings, from the nearest point on the property line or the zone boundary to the specified concession.
 - e. No person owning, operating or managing an adult concession or their employee or agent may invite, allow, or permit any person under the age of eighteen years to enter or remain on the premises of any concession.
 - f. On the exterior of any concession there must be no window, marquee, or other display of any manner describing, identifying, depicting or portraying "specified anatomical areas", or "specified sexual activities" (see AMC 5.35.030 Definitions).
 - g. Violation of the use provisions of this section is declared to be a public nuisance per se, which must be abated by a civil action only and not by criminal prosecution.
 - h. Concession establishments may be identified with signs on the exterior of the establishment in accordance with AMC Chapter 19.67 Signs. All signs must comply with subsection (B)(6) hereof. No advertising, text, pictures or depictions may be permitted anywhere in the windows, on the site, sidewalk or street (A-board signs), store-front, marquee, or anywhere else other than on the approved signage. Terms such as "sale," etc., and other such advertising, as associated with mainstream advertising, may be accepted, subject to the interpretation of the planning director or her/his designee.
 - i. There must be no more than one concession business operating in the same building, structure or portion thereof.
 - j. Nothing in this section is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building or use which violates any ordinance or statute of the city of Anacortes, Skagit County, state of Washington, or the United States.
 - k. Parking requirements. For adult concession facilities constructed after the effective date of this ordinance all parking must be visible from the public right-of-way. For adult entertainment facilities located in buildings constructed prior to the effective date of this ordinance, all parking should be visible from the public right-of-way. In cases of adult concession facilities located in buildings constructed prior to the effective date of this ordinance where this is not feasible, access to the parking must be in as direct a route as possible from the public right-of-way and the parking area must remain free and clear of visual obstructions at all times. Access to the exterior rear of the building must be denied to any persons other than employees and public officials during the performance of their respective duties and tasks by means of a fence, wall or other device approved by the city.
- l. **Lighting requirements.**
 - i. All on-site parking areas and premises entries of adult concession facilities must be illuminated from dusk until one hour past closing hours of operation with a lighting system

which provides an average maintained horizontal illumination of one foot-candle of light on the parking surface and/or pathways.

ii. All permitted on-site lighting, including signs, must be shaded and directed so as not to be visible from any residentially zoned property.

iii. An on-premises exterior lighting plan must be presented to the city for approval prior to the operation of any adult concession.

m. Where lighted signs and illuminated areas are permitted, such illuminating devices must be shaded and directed so as not to be visible from any residentially zoned property.

2. Shooting range, indoor.

a. Definition. An indoor facility designed and improved to encompass shooting stations or firing lines, target areas, and/or other related components.

19.44.100 - Recreation, outdoor.

A. Outdoor recreation use category.

Commercial uses, varying in size, providing daily or regularly scheduled recreation-oriented activities. Activities take place predominately outdoors or within outdoor structures. Outdoor recreation category includes, but is not limited to:

1. Drive-in theater.
2. Camp, campground, travel trailer park, recreational-vehicle park.
3. Extreme sports facility such as paintball, BMX, or skateboarding.
4. Golf course.
5. Outdoor commercial activity such as batting cage, golf driving range, amusement park, miniature golf facility, water-park.
6. Outdoor theater.
7. Outdoor sports or entertainment facility.
8. Riding stable.
9. Shooting range.
10. Racetrack.
11. Sports academy for active recreational or competitive sports.
12. Stadium, arena.

B. Outdoor recreation use standards.

A facility designed to accommodate 200 or more patrons at one time may only be allowed through securing a conditional use permit.

C. Campground.

1. Definition. An area to be used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar movable or temporary sleeping quarters of any kind.

D. Golf course.

- I. Definition. A facility providing a private or public golf recreation area designed for executive or regulation play along with accessory golf support facilities but excluding miniature golf.

E. Marinas and boat moorage.

- I. Definition. A use of land involved in the operation of a marina including structures and activities normally integral to the operation of a marina, such as servicing, fueling, pumping-out, and chartering. Marinas may include accessory retail and equipment storage uses that directly support water-dependent activities per the Shoreline Master Program.

F. Recreational-vehicle-park (RV-park).

- I. Definition. Land containing two or more campsites which are located, established, or maintained for occupancy by people in recreation vehicles or travel trailers which are used for recreation or vacation purposes.
2. Minimum standards. Recreational vehicle parks must meet the minimum standards of the Washington Department of Social and Health Services and the county health department.
3. Streets and recreational vehicle spaces. The arrangement, type, extent, width, grade, and location of all streets and sidewalks must be considered in their relation to existing and planned streets, topographical conditions, and public convenience and safety, and in their relation to the proposed uses of the land to be served by such streets. The RV-park must make appropriate provisions for:
 - a. Open spaces and landscaping.
 - b. Drainage ways.
 - c. Streets, alleys, sidewalks and other public ways.
 - d. Water service.
 - e. Sanitary waste disposal.
 - f. Parks and playgrounds.
 - h. Other utilities.

All recreational vehicle spaces must be provided with safe and convenient access from abutting streets or roads. Alignment and gradients of roads must be adapted to topography. Surfaces of roads must be smooth, hard, dense and well drained.

Exposed or disturbed ground surfaces in all parts of every recreational vehicle space must be covered with gravel or other material, or protected with a vegetative cover, to minimize erosion.

4. Internal design.
 - a. Recreational vehicle spaces must be arranged to facilitate placement and removal of vehicles from individual-spaces.
 - b. Accessory facilities must be designed and located for safe and convenient use by occupants of the park, but so as to inhibit their use by non-occupants.
 - c. Recreational vehicle spaces must be separated from each other and from other structures to allow at least ten-feet separation between parked vehicles and structures.
 - d. The density must not exceed 20 recreational-vehicle spaces per acre of gross site area.

- e. All recreational vehicle spaces should be located at least 25-feet from a public street or highway right-of-way and must be set back ten-feet from interior roadways.
 - f. The director may require that recreational vehicle parks located adjacent to industrial or commercial land uses provide screening such as fences or natural growth along the property boundary lines separating the park from such uses.
 - g. At least one-twelfth of the area of the recreational vehicle park must be developed for a park, open space, or playground area for use of the RV-park occupants. The area must be located so as to conveniently serve all patrons of the recreational vehicle park. Recreation areas may include space for recreation buildings and common facilities such as a laundry.
5. Water supply. The city engineer must require that any water supply system which is installed be designed to provide an adequate accessible water supply for fire protection purposes. The water supply system must meet standards published by the Insurance Services Office: Guide for Determination of Required Fire-Flow.
 6. Sewage disposal. All sewage disposal systems must meet the minimum standards of the Washington State Department of Social and Health Services, the Washington State Department of Ecology, and the county health department. The means for sewage disposal must be subject to approval by the city engineer.
 7. Solid waste. The recreational vehicle park developer must assure that provisions for collection and disposal of solid waste are available. The means for solid waste collection and disposal must be subject to approval by the city engineer.
 8. Required facilities. All recreational vehicle parks having more than eight spaces must have approved facilities for laundry, showers, and restrooms for users of the park.
 9. Retail sales. No retail sales uses are allowed within the park unless a specific site for such use, intended to primarily serve park users, is approved by the City Council as part of the conditional use permit.
 10. Ownership. In all cases the entire area of an RV-park must be maintained in single ownership.

G. Shooting range, outdoor.

1. Definition. An outdoor facility designed and improved to encompass shooting stations or firing lines, target areas, berms and baffles, and/or other related components.

19.44.110 - Restaurant/bar.

A. Restaurant/bar use category.

A facility that prepares and sells food and drink for on- or off-premise consumption. The restaurant/bar category includes, but is not limited to:

1. Bar, nightclub, tavern, lounge.
2. Eating establishment.
3. Food truck.

B. Standards for restaurants with drive-through facilities.

1. Drive-through facilities are prohibited in the CBD zone except when such facilities are completely enclosed within a building.
2. Drive-through facilities are subject to the site design standards in AMC 19.62.060(D).

C. Food truck.

1. Definition. A large wheeled vehicle from which food is sold that typically contains cooking facilities where the food is prepared
2. Standards.
 - a. During business operations food trucks must be located on private property (not in the public right-of-way).
 - b. Food trucks may not install any seating permanently attached to the ground.
 - c. Food trucks must provide adequately sized and located waste collection containers during business operations.

19.44.120 - Retail sales.

A. Retail sales use category.

Facilities involved in the sale, lease, or rental of new or used products. The permissions for retail sales uses in Table 19.41.050 are based on size (net floor area) per individual use, with thresholds of 5,000, 25,000, and 50,000-square-feet. Retail sales includes, but is not limited to:

1. Facilities involving the sale, lease, or rental of new or used products including but not limited to appliances, art supplies, baked goods, bicycles, books, building supplies, cameras, carpet and floor coverings, crafts, clothing, computers, convenience goods, dry goods, electronic equipment, fabric, flowers, furniture, garden supplies, gifts or novelties, groceries, hardware, home improvement, household products, jewelry, medical supplies, music, musical instruments, office supplies, package shipping, pets, pet supplies, pharmaceuticals, photo finishing, picture frames, plants, printed materials, produce, seafood, souvenirs, sporting goods, stationery, tobacco, used or secondhand goods, vehicle parts and accessories, videos and related products.
2. Art gallery.
3. Check cashing, payday loan.
4. Pawnshop.

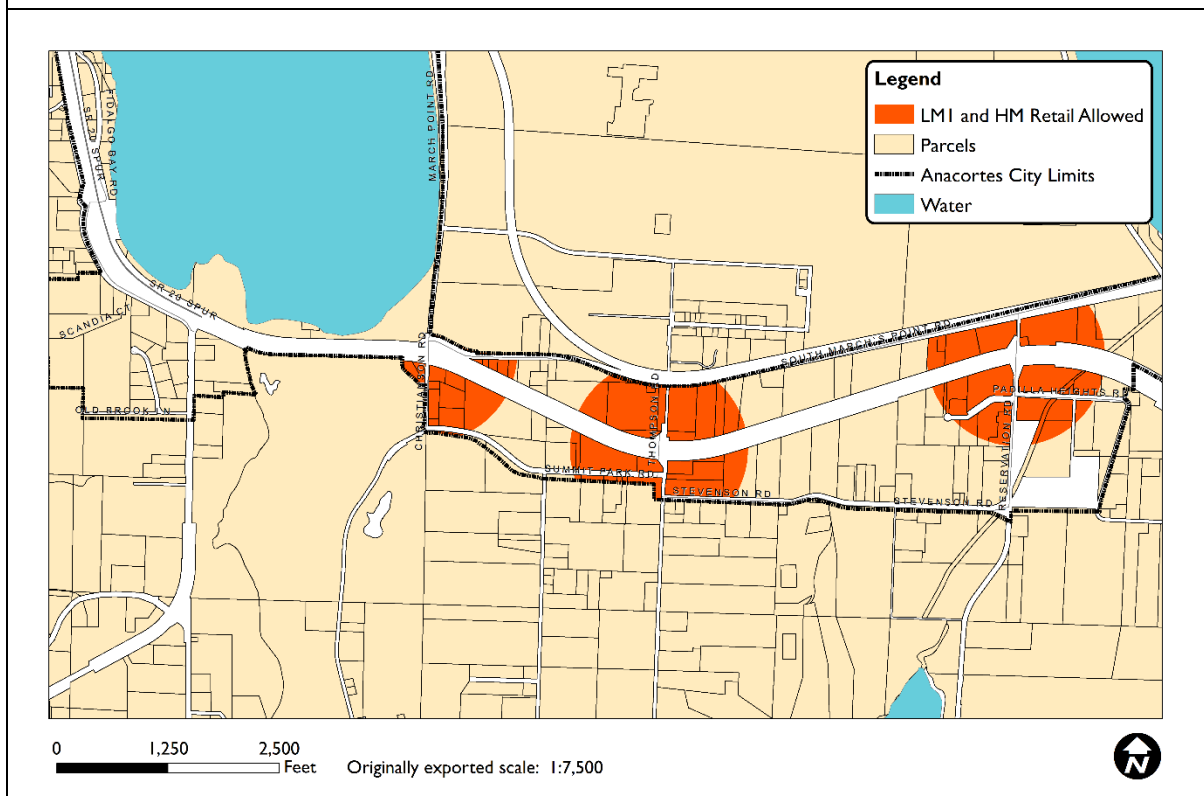
B. Standards for retail uses with drive-through facilities.

1. Drive-through facilities are prohibited in the CBD zone.
2. Drive-through facilities are subject to the site design standards in AMC 19.62.060(D).

C. Standards for retail sales uses in the LMI and HM zones.

1. In the LMI and HM zones the primary building entries of retail uses must be located within the lots or portions of lots illustrated in Figure 19.44.120(C). These areas are generally within 1,000-feet of the State Route 20 intersections with March Point Road, Thompson Road, and Reservation Road as measured in a straight line from the right-of-way centerlines and exclude lots with waterfronts.

Figure 19.44.120(C)
Clarification on limits of retail sales uses in the LMI and HM zones.



D. Neighborhood grocery store.

1. Definition. A small retail establishment which primarily sells food, but also may sell other convenience and household goods and may include an area for dining such as a deli or coffee shop.
2. Standards.
 - a. Not to exceed 1,200-square-feet of retail sales net floor area and 3,200-square-feet of gross floor area.
 - b. No such grocery uses must be allowed within one-quarter mile of an existing grocery store.

E. Special retail sales uses. The following uses fall under the “retail sales” use category, but due to their unique attributes, come with their own use permissions and standards. These uses are not subject to the net floor area parameters under the retail sales permissions in Table 19.41.050.

1. Heavy retail.

- a. Definition. Retail uses with exterior sales and/or storage areas greater than 15,000 gross square-feet or occupying a greater area than the use’s principal building. Examples include truck stops, agricultural supplies, plant and landscape design materials, building materials, and heating fuels.

2. Marijuana retailers.

- a. Definition. “Marijuana retailer” means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

b. Standards.

- (1) Marijuana retailers are only allowed east of the interchange of State Route 20 and State Route 20 Spur.

3. Gas station.

- a. Definition. A retail use that primarily involving automobile fuels. Gas stations include specialized structures for selling fuel and fuel storage tanks, often underground. These establishments may provide incidental services such as automobile maintenance/repair, car washing, and the sale of food and other convenience items (including drive-through restaurants).

19.44.130 - Vehicle sales/rental.

A. Vehicle sales/rental use category.

This category includes, but is not limited to direct sales, rental or leasing of passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles.

B. Vehicle sales/rental, enclosed.

1. Definition. Vehicle sales/rental use that is conducted entirely indoors.

C. Marine sales/rental.

1. Definition. An establishment where boats 16-feet or more in length are rented or sold. The sale or rental of smaller boats must be a retail sales use.

Chapter 19.45 - INDUSTRIAL USES

19.45.010 - Heavy industrial.

A. Heavy industrial use category:

Any facility that involves production and/or storage of dangerous, noxious or offensive uses or a facility that has smoke, odor, noise, glare, fumes, gas, vibration, use of fire or explosives, emission of particulate matter, interference with radio, television reception, or radiation. Such uses include, but are not limited to:

1. Petroleum and oil refineries and storage.
2. Chemical manufacturing.
3. Wood products manufacturing.
4. Food and beverage manufacturing.
5. Primary metal manufacturing.
6. Fabricated metal products and machinery.
7. Machinery manufacturing.
8. Transportation equipment manufacturing.

19.45.020 - Light industrial.

A. Light industrial use category.

Manufacturing, assembly, repair or servicing of industrial, business, or consumer machinery, equipment, products, or by-products mainly by providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. The light industrial category includes, but is not limited to, the following uses.

1. Bottling.
2. Brewery (produce 15,000 or more U.S. beer barrels annually).
3. Bus or rail transit vehicle maintenance or storage facility.
4. Contractors storage including janitorial and building maintenance service, exterminator, or other maintenance yard or facility, building, heating, plumbing, landscaping or electrical contractor and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site.
5. Food and beverage products except animal slaughter, stockyards.
6. Laundry, dry-cleaning, and carpet cleaning plants.
7. Leather and leather products except tanning and finishing.
8. Sheet metal, welding, machine, tool repair shop or studio.
9. Stone, clay, glass, and concrete products.
10. Woodworking, including cabinet makers and furniture manufacturing.

B. Marijuana processors.

1. Definition. “Marijuana processor” means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.
2. Standards.
 - a. Marijuana processors are only allowed east of the interchange of State Route 20 and State Route 20 Spur.

19.45.030 - Light manufacturing.

A. Light manufacturing use category.

A facility conducting light manufacturing operations within a fully-enclosed building. The light manufacturing category includes, but is not limited to, the following uses:

1. Clothing, textile apparel manufacturing.
2. Facilities engaged in the assembly, design, repair or testing of: analyzing or scientific measuring instruments; semiconductor and related solid state devices, including but not limited to clocks, integrated microcircuits; jewelry, medical, musical instruments, photographic or optical instruments; and timing instruments.
3. Printing, publishing, and lithography.
4. Production of artwork and toys, graphic design sign-making, movie production facility, photo-finishing laboratory.
5. Repair of scientific or professional instruments and electric motors.

B. Artisan manufacturing.

1. Definition. Production of goods by the use of hand tools or small-scale, light mechanical equipment occurring within a fully-enclosed building where such production requires no outdoor operations or storage, and where the production, operations, and storage of materials related to production occupy no more than 3,500-square-feet of net floor area. Typical uses have negligible negative impact on surrounding properties and include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts, production of alcohol, or food processing.

19.45.040 - Research and development.

A. Research and development use category.

A facility focused primarily on the research and development of new products. The research and development category includes, but is not limited to, the following uses.

1. Laboratories, offices and other facilities used for research and development by or for any individual or organization whether public or private.
2. Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.
3. Pilot plants used to test manufacturing processes planned for use in production elsewhere.

B. Research and development use standards.

1. Such uses in the C, CBD, and MMU zones must occur within a fully-enclosed building.
2. In the MMU zone, the use of outdoor areas for final product assembly and transportation-related activities are permitted, provided that screening of such outdoor uses mitigates the impacts of planned activities. Screening options include fencing (AMC Chapter 19.66) and Type-A or B Landscaping (AMC 19.65.060)

19.45.050 - Self-service storage.

A. Self-service storage category.

Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property. The self-service storage category includes, but is not limited to, the following uses.

1. Warehouse, self-service.
2. Fully enclosed indoor multi-story storage.
3. Mini-warehouse.

B. Self-service storage standards.

Uses in the C zone are limited to fully-enclosed indoor facilities (all storage units are only accessible from indoors).

19.45.060 - Warehouse and distribution.

A. Warehouse and distribution category.

Facilities involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers. The warehouse and distribution category includes, but is not limited to, the following uses.

1. Bulk storage, including nonflammable liquids, cold storage plants, including frozen food lockers, household moving and general freight storage, separate warehouse used by retail store such as furniture or appliance store.
2. Distribution facility, central postal facility.
3. Parcel services.
4. Transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.
5. Trailer storage, drop-off lot.
6. Truck or motor freight terminal, service facility.

19.45.070 - Waste-related service.

A. Waste-related service category.

Characterized by uses that receive solid or liquid wastes from others for transfer to another location and uses that collect sanitary wastes or that manufacture or produce goods or energy from

the composting of organic material. The waste-related service category includes, but is not limited to, the following uses.

1. Uses that receive solid or liquid wastes from others for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material.
2. Animal waste processing.
3. Landfill.
4. Manufacture and production of goods from composting organic material.
5. Outdoor storage of recyclable material.
6. Scrap materials (indoor storage).
7. Solid or liquid waste transfer station, waste incineration.

B. Recycling facility.

1. Definition. A building and/or site in which recoverable materials such as paper, plastic, glass, and metal are collected, stored, flattened, crushed, or bundled prior to shipment to others who will use those materials to manufacture new products. The materials are stored on-site for shipment to market.

19.45.080 - Water-oriented industrial.

A. Water-oriented industrial use category.

Industrial type uses that are either water-dependent, water-related, or water-enjoyment use, or any combination thereof. The water-oriented industrial use category includes, but is not limited to:

1. Ship and boat building and repair.
2. Seafood processing.
3. Dry stack boat storage.
4. Maritime administration.
5. Piers and wharfs.
6. Water-based shipping terminals.
7. Boat launch facilities.

B. Dry stack boat storage.

1. Definition. A facility for storing boats out of water. This is principally a land operation, where boats are dry stored or "stacked" until such time as they are transferred to the water for use. Structures must comply with form and intensity standards in AMC Chapter 19.42 for the applicable zoning district.

C. Boat launch facilities.

1. Definition. Boat launches facilities are slabs, pads, planks, rails, cranes, or graded slopes used for launching boats by means of a trailer, hand, or mechanical device.

19.45.090 - Wholesale trade.

A. Wholesale trade category.

Facilities involved in the sale, lease, or rent of products to industrial, institutional, or commercial businesses only. The use emphasizes on-site sales or order-taking and often includes display areas. Businesses may or may not be open to the general public, but sales to the general public are not permitted. Products may be picked up on-site or delivered to the customer.

The wholesale trade category includes, but is not limited to, the following uses:

1. Sale or rental of machinery, equipment, heavy equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, plumbing supplies, janitorial supplies, restaurant equipment, and store fixtures.
2. Wholesale sales of food, clothing, auto parts, building hardware, and similar products.

Chapter 19.46 - PUBLIC, INSTITUTIONAL & OPEN SPACE USES

19.46.010 - Agriculture.

A. Uses in the agriculture category include:

The raising and harvesting of trees, vines, seeds, plants and crops, as well as the keeping, grazing or feeding of animals (including fish) for animal products, animal propagation, or value increase. The agriculture category includes, but is not limited to:

1. Animal raising including, but not limited to, horses, hogs, cows, sheep, goats, swine, poultry, rabbits and other small animals, apiculture, aquaculture, dairying, personal or commercial animal breeding and development.
2. Crop production, soil preparation, agricultural services, large animal and veterinary services, farm labor and management services, research farm.
3. Floriculture, horticulture, pasturage, row and field crops, viticulture, tree or sod farm, silviculture, sale of agriculture products.
4. Fish hatcheries, fish farm.
5. Forestry, timber tracts, forest nursery, gathering of forest products.
6. Grain, fruit, field crop and vegetable cultivation and storage.
7. Livestock, horse, dairy, poultry and egg products.
8. Plant nursery.
9. Restricted agriculture.

B. R-I zone standards.

Pasture space for livestock must be provided at a minimum of 18,000-square-feet per animal.

C. Aquaculture.

1. Definition. The breeding, hatching, or raising of fish or other aquatic plants or animals for sale.

D. Marijuana producers.

1. Definition. "Marijuana producer" means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.
2. Standards.
 - a. Nuisances.
 - i. No odor or smoke may be emitted that is detectable at or beyond the walls of the facility, in such a concentration or of such duration as to cause a public nuisance, or threaten health or safety, or to infringe upon the enjoyment of a neighboring use.
 - ii. The applicant must install an exhaust system that is designed and constructed to capture sources and contaminants to prevent spreading of contaminants or odors to other occupied parts of the building or surrounding area. The system must be designed by a licensed Washington State professional engineer.

- b. Marijuana producers are only allowed east of the interchange of State Route 20 and State Route 20 Spur.

E. Nursery.

1. Definition. Land, building, structure, or combination thereof, for the storage, cultivation, or transplanting of live trees, shrubs, or plants, offered for sale on or off the premises including products used for gardening or landscaping.

19.46.020 - Civic.

A. Uses in the civic category include:

Places of public assembly that provide ongoing public, educational and cultural services to the general public, as well as meeting areas for religious practice. Civic includes the following uses.

1. Cemetery.
2. College, community college, and university.
3. Community/recreation center.
4. Civic club.
5. Library.
6. Museum.
7. Religious institution.
8. School, public or private (K-12).

NOTE: This category does not include:

- Government offices - which falls under Office use
- Trade, vocational, or business school - which falls under Office use
- Public safety facilities - which falls under General-service use
- Municipal service facilities - which falls under General-service use

B. Civic use standards.

The permissions for civic uses in Tables 19.41.040 and 19.41.050 are based on size (gross floor area), with thresholds of 10,000 and 20,000-square-feet provided they meet the following standards:

1. Site planning. Civic uses are subject to site planning standards in AMC Chapter 19.62.
2. Building design. Civic uses are subject to building design standards in AMC Chapter 19.63.
DEPARTURES to the building massing standards and other applicable standards in the chapter will be considered per AMC 19.20.220, provided alternatives design treatments meet the purpose of the standards. The director may exempt buildings not visible from the street.
3. Parking. The use must comply with civic parking regulations in AMC 19.64.040 and other applicable parking regulations in AMC Chapter 19.64 Parking, except that in no event may parking be in excess of one space per three seats in a residential zone.
4. A traffic mitigation plan must be submitted for approval by the City. The plan must address traffic control, parking management (including the mitigation of overflow parking into adjoining residential areas), and traffic movement to the arterial street system. In addition to on-site

parking requirements, parking in excess of the maximum may be permitted on existing off-site satellite parking lots, subject to City approval of a joint use agreement. Off-site parking in residential zones must be limited to lots shared with existing institutional uses, such as schools.

5. The storage of buses or vans over 10,000 pounds gross weight is permitted on-site only if following conditions are met:
 - a. The location of the parking areas for these vehicles is indicated on the site plan at the time of application.
 - b. Vehicles must be leased or owned by the owner or tenant of the site, must be in operable condition, and must have a current vehicle registration.
 - c. Vehicles must not intrude into public right-of-way or obstruct sight visibility from any driveway.
6. Landscaping. The use must comply with landscaping standards in AMC Chapter 19.65.
7. Fences, walls, and hedges on-site must comply with AMC Chapter 19.66.
8. Signs associated with the use must comply with AMC Chapter 19.67.

C. Special civic uses. The following uses fall under the “civic use” category, but due to their unique attributes, come with their own use permissions and standards **unless otherwise noted**. These uses are not subject to the gross floor area parameters under the civic use permissions in Tables 19.41.040 - .050.

1. Cemetery/columbarium.
 - a. Defined. A facility used for the permanent interment of humans or animals or their cremated remains. Includes mausoleum, columbarium, memorial, and pet cemetery.
2. College, community college, or university.
 - a. Defined. A private or public educational institution where students attend to earn associates, baccalaureate, masters or doctoral degrees. A college/university may not be considered a trade or vocational school (see office use category, AMC 19.44.040).
 - b. Use standards.
 - (1) Any school that has greater than 100 students must have access onto a collector or arterial street.
 - (2) Such uses are subject to civic use standards in subsection (B) above.
3. Community center.
 - a. Definition. A building or other enclosed structure open to the general public that is owned and operated by a public agency, or a nonprofit organization, and that is used predominantly for cultural, educational, recreational, or social purposes. Not included in the category of community center are those businesses and occupations defined by this title as a medical use, personal service, general-service, office, religious institution, school, private club or fraternal organization.
4. **Museums.**
 - a. Definition. A room or building for exhibiting, or an institution in charge of, a collection of books, or artistic, historical, or scientific objects.
5. Private recreational, civic, social and/or cultural clubs.

- a. Definition. A range of membership-only clubs, including, but not limited to tennis clubs, civic clubs, yacht clubs, swimming clubs, social, and/or cultural clubs. This definition excludes health clubs.
 - b. Standards.
 - (1) Such uses are subject to civic use standards in subsection (B) above.
 - (2) In the CM2 zone, only yacht clubs are allowed.
6. School, public or private (K-12).
- a. Definition. An institution of learning for minors, whether public or private, offering regular course of instruction required by the Washington Education Code. This definition includes an elementary school, middle or junior high school, or high school. If said school is located on the grounds of a church or house of worship, it must be considered a separate principal use if it has a student body in excess of 50 students. Students enrolled in a day care center at the church may not be separately counted as a school.
 - b. Use standards.
 - (1) Any school that has greater than 100 students must have access onto a collector or arterial street.
 - (2) Pedestrian connectivity to the surrounding residential areas is required, where feasible. This includes pathways connecting to surrounding streets.
 - (3) Accessory daycares associated with any school must occupy no more than 50-percent of the school structure(s).
 - (4) Schools are subject to civic use standards in subsection (B) above.

19.46.030 - Parks, open space, and natural areas.

A. Parks, open space, and natural areas category.

Uses focusing on natural areas consisting mostly of passive or active outdoor recreation areas and having few structures. The parks, open space and natural area category includes, but is not limited to, the following uses.

- 1. Botanical garden, nature preserve, community forest lands, recreational trails.
- 2. Game preserve, wildlife management area, refuge.
- 3. Park, including recreation field.
- 4. Reservoir, control structure, water supply, water well.
- 5. Plazas.

B. Parks and plazas.

- 1. Definitions.
 - a. Park. Land owned by the city or other public entity and open to public use for purposes of pleasure, relaxation, exercise and amusement.
 - b. Plaza. A publicly accessible open space usually surrounded by buildings and/or streets where people can gather. Plazas typically include walking surfaces, seating areas and some landscaped elements.

19.46.040 - Utilities.

A. Utilities, major.

Large and/or regional public or private utility generation or treatment facilities and possibly having on-site personnel. This category includes, but is not limited to:

1. Water treatment plant.
2. Sanitary sewer and/or stormwater treatment plant.

B. Utilities, minor.

Small and/or local public or private utility distribution facilities and infrastructure with no on-site personnel. This category includes, but is not limited to:

1. On-site stormwater retention, detention, or infiltration facility.
2. Neighborhood-serving telecommunications, gas, or electric facility.
3. Water and sanitary sewer pump station or lift station.
4. Electrical substation.
5. Utility service.

C. Sustainable energy generation system.

1. Definition. A system that generates electricity from renewable resources such as solar energy, wind power, tidal power, geothermal energy, and biomass.
2. Standards.
 - a. Principal and accessory use classification. The sustainable energy generation system is a principal use when it generates or has the potential to generate more electricity than needed for buildings and facilities on the site it is located and sends or has the potential to send excess electricity off-site.

Systems that only generate electricity for on-site use are accessory (see AMC 19.47.010-.020 for accessory use and structure standards), unless the director determines the system is a principal use based on system characteristics such as size, design, or off-site impacts.

Exception: Solar energy systems attached to a rooftop and which send excess electricity off-site may be considered an accessory use.
 - b. Location on buildings. Sustainable energy generation systems may be located on building exteriors provided they comply with setback and building height standards for the zone in which the building is located and applicable design standards such as those for rooftop mechanical equipment screening [see AMC 19.62.070(E)].
 - c. Nuisances. Uses, processes, equipment employed, and materials stored must not inflict upon neighboring properties fumes, noise, vibrations, odor, refuse matter, water-carried waste, or other nuisances or hazards detrimental to the health, welfare, and safety of persons occupying or visiting the zone or adjacent zones above that which is allowed by local, state, and federal standards.

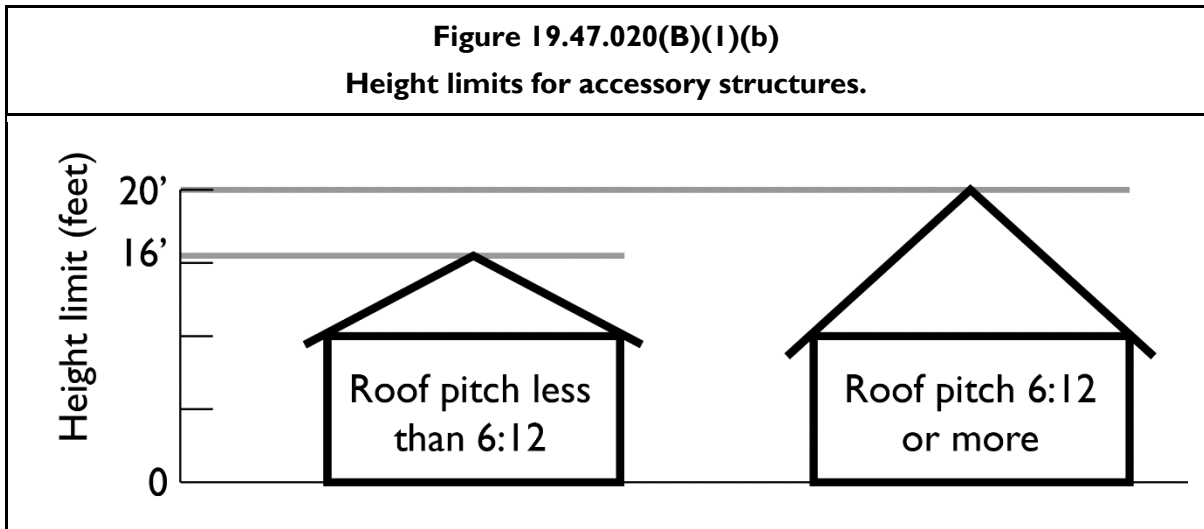
Chapter 19.47 - ACCESSORY USES & STRUCTURES

19.47.010 - Generally.

- A. Accessory uses and structures are permitted in conjunction with allowed principal uses. Allowed accessory uses and structures include those listed in this chapter and additional accessory uses and structures that, as interpreted by the director, meet the following:
 - 1. Are clearly incidental to and customarily found in connection with an allowed principal building or use.
 - 2. Are subordinate to and serving an allowed principal building or use.
 - 3. Are subordinate in area, extent, and purpose to the principal building or use served.
 - 4. Contribute to the comfort, convenience or needs of occupants, business or industry in the principal building or use served.
 - 5. Are located on the same lot as the principal building or use served.
- B. No accessory use or structure may be established on a lot prior to the establishment of a permitted principal use.

19.47.020 - Accessory structures.

- A. Defined. A subordinate structure or building, the use of which is incidental and related to that of the main building or use on the same lot.
- B. Accessory structure standards.
 - I. Form and intensity standards:
 - a. Height limits.
 - i. Accessory structures in residential zones must not exceed 16-feet in height, as measured in AMC 19.42.130. The height limit for accessory structures with a roof pitch of 6:12 or greater is 20-feet.
 - ii. Accessory structures which include an accessory dwelling unit are subject to the height limits in AMC 19.47.030(C)(5).



- b. Size limit: Accessory structures in all residential zones, except R1, must not exceed 1,000-feet in size per building except when it includes an accessory dwelling unit [see AMC 19.47.030(C)(4)].
- c. Setback requirements for all accessory structures are established in Tables 19.42.020-030, except:
 - i. Interior side setbacks for accessory structures:
 - (A) Three-feet, for accessory structures no larger than 144-square-feet and 12-feet in height.
 - (B) Five-feet for other accessory structures.
 - ii. Rear setbacks adjacent to a platted alley:
 - (A) Zero-feet for detached accessory structures or that portion of the primary structure that is used as an accessory structure. **Exception:** where garage doors or a carport face the alley, the structure must be set back a minimum of ten-feet from the alley property line to allow adequate turning distance for vehicles.
 - (B) Detached accessory dwelling units (whether they are attached to a garage or free-standing) are subject to the setback standards in AMC 19.47.030.
 - iii. **Rear setbacks not adjacent to a platted alley.**
 - (A) **Five-feet, for accessory structures no larger than 144-square-feet and 12-feet in height.**
- d. Accessory structures associated with single family dwellings, duplexes, and triplexes must be located to ensure that the minimum usable open space standards of AMC 19.43.010(C)(3)(c) are met.
- 2. Tent structures are considered accessory buildings, and may be located within side and rear setbacks, but not in a setback adjacent to a street. Tent structures must be constructed and maintained so as to not present a safety, health, or fire hazard.
- 3. Antennas erected after January 1, 1996 fall into two categories: (1) amateur radio service antennas and towers under seventy-five-feet that require only a building permit, and (2) those higher than seventy-five-feet that require a conditional use permit. Antennas and towers may

not be located within the street or interior side setback areas, but may be located within the rear setback area.

4. Accessory buildings over 144-square-feet in residential zones may not be corrugated metal sided.

19.47.030 - Accessory dwelling unit (ADU).

A. Definition. A second dwelling unit attached or detached from the primary residential unit on a lot.

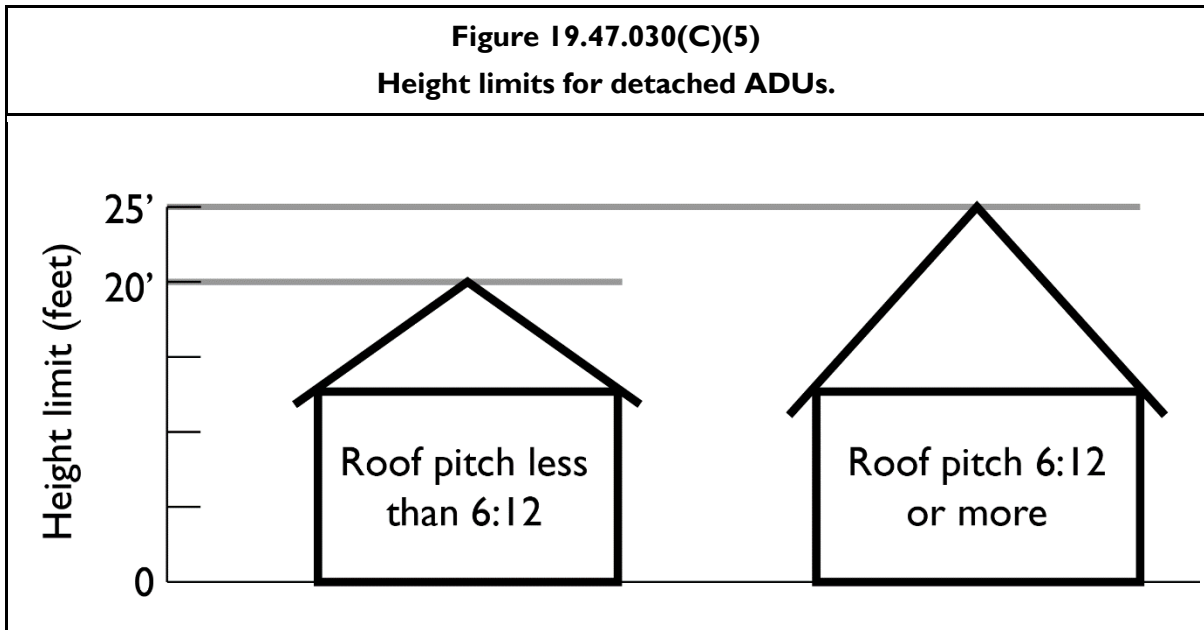
B. Purpose. The purpose of an accessory dwelling unit is to:

1. Add affordable units to existing housing and make housing units available to moderate-income people who might otherwise have difficulty finding homes within the city.
2. Promote the development of additional housing options in residential neighborhoods that are appropriate for people at a variety of stages of their lives.
3. Provide homeowners with a means of obtaining, through tenants in either the accessory dwelling unit or the principal residence, rental income, companionship, or security.
4. Protect neighborhood stability, property values, and the character of the neighborhood.

C. Standards and criteria.

1. When and where permitted: An ADU may be established in any zone on a lot with a single-family residence. An ADU may be created by any one or combination of the following methods:
 - a. Alteration of interior space of an existing residence.
 - b. Conversion of an attic, basement, attached or detached garage, or other portion of a residence.
 - c. Addition of a living area enclosed within the principal building.
 - d. Construction of a detached living area.
 - e. Associated with the construction of a new single-family dwelling (where permitted).
2. Number. Each single-family residential unit may have only one ADU.
3. Subdivision. ADUs must not be subdivided or otherwise segregated in ownership from the principal dwelling unit.
4. Maximum size. The ADU may not exceed 900-square-feet **gross floor area**.
5. Maximum height:
 - a. ADUs enclosed within the principal building are subject to the height limits for the applicable zone in Tables 19.42.020-030.
 - b. Height limits for detached ADUs are:
 - i. **20-feet where the roof pitch is less than 6:12.**
 - ii. **25-feet where the roof pitch is 6:12 or greater.**

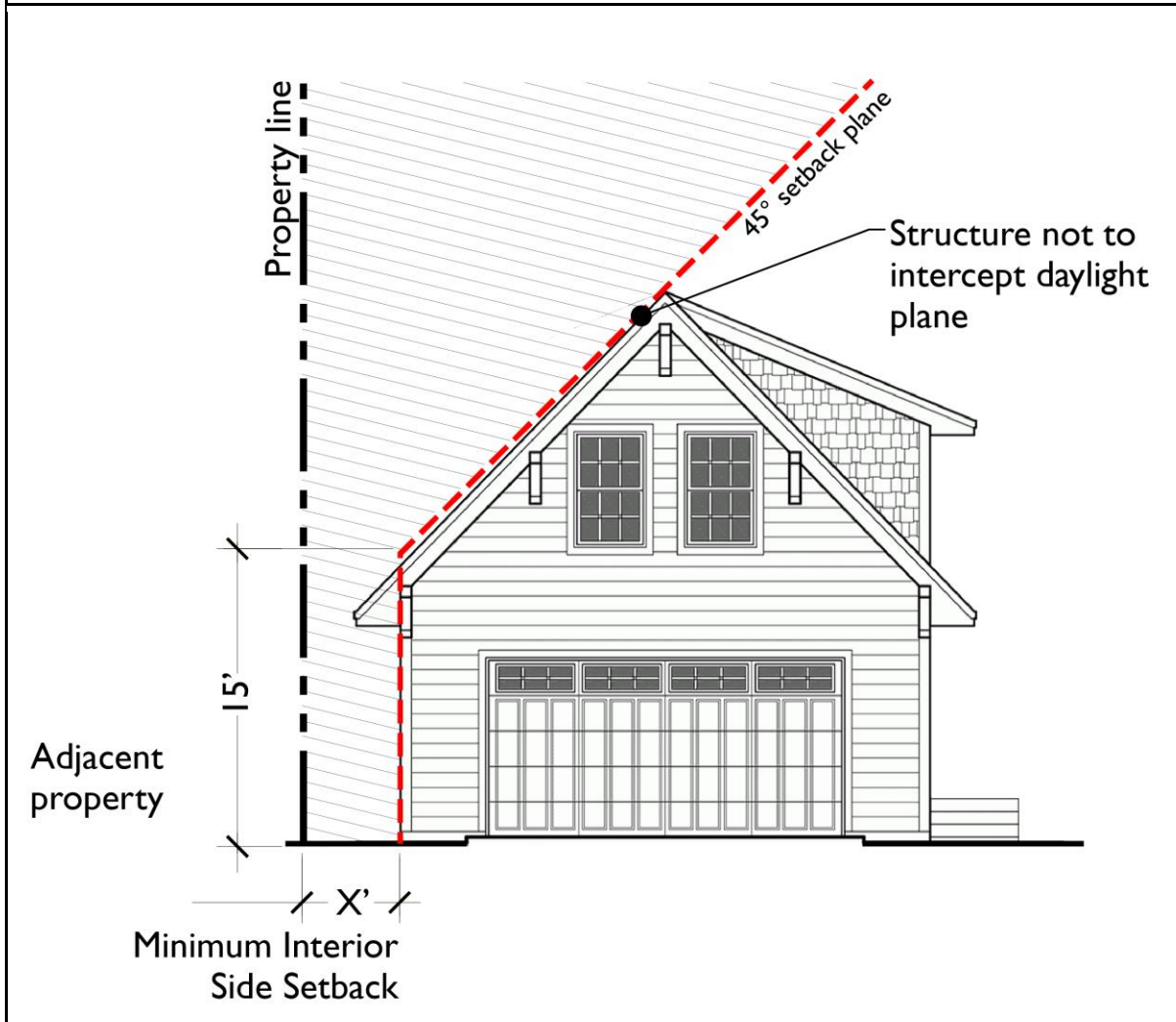
Exception: ADU height and roof pitch adjustments may be needed for structures to comply with the 45-degree height/setback plane provisions in subsection (C)(6)(a) below.



6. Minimum setbacks and siting requirements. ADUs enclosed within the principal building are subject to the setback requirements for the applicable zone. Standards for detached ADUs (whether or not they are attached to a garage) are subject to the following setback requirements:
 - a. Minimum interior side setback: Five-feet, except that from a height of 15-feet at the five-foot minimum interior side setback, buildings must step back at a 45-degree angle away from the interior side or rear property line as shown in Figure 19.44.030(C)(6) below.
 - b. Minimum rear setback (to alley property line): Zero-feet, except where garage doors or a carport faces the alley, the structure must be set back a minimum of ten-feet from the alley property line to allow adequate turning distance for vehicles.
 - c. Detached ADUs must be located consistent with the minimum usable open space standards of AMC 19.43.010(C)(3)(c), **regardless of lot size.**

Figure 19.47.030(C)(6)

**Height/setback plane for detached accessory dwelling units
along interior side setbacks.**



7. Living facilities. At a minimum, an accessory dwelling unit includes a bathroom, a kitchen, and separate exterior access.
8. Parking. A minimum of three parking spaces must be provided for the principal and accessory dwelling units. Where on-street parking is available abutting the lot, only two off-street spaces must be provided for the principal and accessory dwelling units.
9. Entrance. The entrance to the ADU must not be on the same side of the structure as the entrance to the principal residence, except when such entrance is not visible from the street as determined by the director.

Exception: If an ADU is created within an existing residence which already has more than one existing exterior door on the same side, an existing door may be utilized for the ADU.

10. Owner occupancy.

- a. Either the principle or accessory dwelling unit must be occupied by an owner of the property for six or more months of each calendar year as the owner's permanent residence. "Owners" include title holders and contract purchasers. The applicant must record a notice against the property title with the county auditor, on forms provided by the department, describing this requirement.
- b. The Director may waive the requirement of subsection (a) for up to three years if a letter is submitted that provides evidence of good cause for the waiver. Good cause may include job dislocation, military deployment, sabbatical leave, education, or illness.

19.47.040 - Home occupations.

- A. Purpose. The purpose of a home occupation is to allow certain activities to be undertaken for gain or profit within a dwelling, or a building accessory to a dwelling, in any zone in which dwellings are present, while maintaining the residential character of the property and avoiding detrimental effects to the surrounding neighborhood.
- B. Applicability. This section applies to all home occupations except a home office or home telephone or internet sales, or similar use, with no customer or employee visits to the site.
- C. Requirements.
 1. The occupation must not create any noise, dust, glare, vibration, odor, hazardous waste, smoke, electrical interference, or other adverse impact to the surrounding residential area.
 2. The principal use of the premises must be residential and at no time may the home occupation exceed 25-percent of the floor area of the dwelling unit, not including the garage.
 3. There may be no exterior indication of the occupation, including no outdoor storage related to the occupation, nor exterior modification of the building(s) to accommodate the occupation, other than an allowed sign (see AMC 19.67.070).
 4. No person other than members of the family residing on the premises may be engaged in such occupation.
 5. If the occupation requires that customers or clients visit the premises, adequate off-street parking must be a condition of the permit, and traffic generated by the business may not exceed that which might reasonably be generated by residential use of the premises.
 6. A home occupation permit may not be transferred to another person.
 7. All regular business license requirements must be met.
 8. The requirements for shipping and receiving of materials in connection with the business does not create excessive noise or traffic.
- D. Any expansion or change of the nature of the home occupation that does not qualify for a minor permit revision requires a new permit.

19.47.050 - Caretaker residence.

- A. Caretaker or security residences are allowed in the LMI, CM2, MS, I, and HM zones provided they are accessory to a principal permitted use. See AMC 19.47.010 for general accessory use standards.

Chapter 19.48 - TEMPORARY USES

19.48.010 - Applicability.

The temporary use standards herein are intended to allow for the short-term placement of activities, many of which would be not allowed on a permanent basis. The following regulations govern temporary uses.

19.48.020 - Temporary use standards.

A. Temporary event/uses.

1. A temporary event lasting one day is permitted without complying with the conditions of subsection (2), provided that no more than four temporary events in any one calendar year are permitted on that premise. Temporary uses meeting the definition of “special event” are subject to the standards of AMC Chapter 7.04.
2. All temporary events lasting more than one day on any premise in any one calendar year must meet all of the following:
 - a. No premise may be the site of a temporary event exceeding a collective total of 20 days, or three individual weekends, or both within any one calendar year. In this context, a weekend constitutes three consecutive days.
 - b. Signs associated with a permitted temporary event are subject to the standards in AMC 19.67.110.
 - c. All outdoor activities must be discontinued by 11:00 PM when located closer than 500-feet to a residential use.
 - d. No unauthorized encroachments on public rights-of-way are allowed.
 - e. The temporary event must comply with all applicable environmental regulations in AMC Division 7.
 - f. Separation requirement: Except for yard sales and Christmas tree sales, no temporary use may be located closer than 100-feet to a dwelling unit unless the owners of such properties provide written consent of the temporary use to the director.
 - g. Plans for security and safety must be provided for civic/cultural events.
 - h. The sponsor, owner, or manager of any temporary use must be responsible for ensuring that the site remains free of debris or waste upon the conclusion of each day's sale or use.
 - i. No more than one temporary use may be permitted per lot at any given time.
 - j. Unless otherwise specified, upon expiration of a temporary use, the site must return to its original state within seven days.

B. Produce stand.

1. Definition. A temporary structure limited to the display and sales of seasonal produce or handicrafts or other seasonal products
2. Standards.
 - a. A produce stand use is limited to 120 days.

- b. A produce stand must be located outside of the right-of-way and at least ten-feet from the edge of the paved roadway or, if a paved sidewalk exists, at least five-feet from the edge of the sidewalk.
- c. A produce stand must not be located closer than ten-feet to any side lot line and 20-feet to any side lot line which is in or abuts a residential zone, unless a greater setback is required for the zone in which it is located.
- d. During the times of the year in which the produce stand is not in operation, the stand and any structure associated with it must not be visible from any public road, unless it meets the location and dimensional standards for an accessory structure.

C. Cargo containers.

- 1. Definition. A standardized, reusable vessel that was originally, specifically or formerly designed for use in packing, shipping, movement or transportation of freight, articles, goods or commodities and/or capable of being mounted or moved on a railcar or on a chassis for movement by truck trailer or loaded on a ship.
- 2. Standards.
 - a. Cargo containers are prohibited in all residential zones, except that temporary containers for the purpose of household moving may be permitted for a period not to exceed 30 days in any 12-month period and temporary cargo containers used at constructions sites not to exceed the completion of the construction project.
 - b. Cargo containers must not be placed on developed streets and alleys.

D. Recreational vehicles (RV).

- 1. Definition. A vehicle built on a chassis and propelled by its own engine, or a trailer or "fifth wheel" designed to be towed, and may have cooking, bathing, and toilet facilities to be used as a temporary dwelling for travel and recreational purposes. A pickup truck with a simple canopy or a passenger van must not be considered an RV.
- 2. Standards.
 - a. Recreational vehicles up to 32-feet in length may be placed on a single-family residence construction site during actual construction of a single-family residence at that location for a maximum period of one year during construction. Such trailer may be used only as a residence for the owner/builder and must be self-contained or connected to city water and sewer and must meet all other applicable health and safety standards.
 - b. An RV may not be used as a temporary or permanent place of residence within the city limits of Anacortes, unless:
 - i. Parked within a RV park.
 - ii. Specifically authorized by the City Council. If the City Council authorizes such a temporary use, the duration of the authorization must be specified, and the temporary residence must be removed promptly at the end of that time.
 - iii. A guest(s) of a permanent resident may occupy a recreational vehicle parked on private property for a period not exceeding three weeks in a one-year period for any individual guest, nor nine weeks in a one-year period for all such RV occupancy on a property; the guest RV may be parked in a street setback in a driveway, or in a side or rear setback, for the legal duration of the guest's stay. An unoccupied recreational vehicle may be parked on private property in a side or rear yard, but not in a street setback (whether or not it is

in a driveway), except for the limited guest period defined herein. RV's parked on streets, alleys, or undeveloped street right-of-way must be subject to the city's general parking regulations and enforcement.

Chapter 19.49 - NONCONFORMING USES & STRUCTURES

19.49.010 - Purpose.

The purpose of this chapter is:

- A. To permit nonconforming uses or structures to continue until they are removed, but not to encourage their survival, except as expressly provided in this chapter; and
- B. That nonconforming uses or structures may not be used as grounds for adding other structures or uses prohibited elsewhere in the same zone; and
- C. That nonconforming uses or structures not be allowed to expand, be altered, or reconstructed except as otherwise outlined in this chapter.

19.49.020 - General rule.

- A. Any lot, building, structure, or use of land, legally permitted or established, must be permitted to continue consistent with this chapter. A change in occupancy or ownership does not affect the right to continue such use, building, or structure.
- B. Any use for which a conditional use permit has been obtained is not a nonconforming use so long as the requirements of the conditional use permit are met.

19.49.030 - Enlargement, alteration, expansion or change of nonconforming uses.

- A. Nonconforming uses.
 - 1. A building containing a nonconforming use may be maintained, repaired, or brought up to more current structural and safety standards
 - 2. No nonconforming use may be permitted to be enlarged, altered, or expanded. This includes structural alterations not required by law and any enlargement that changes parking requirements.
Exception: A nonconforming use may be extended throughout any part of the building which was designed for the use prior to the adoption date of this chapter.
- B. No nonconforming use may be allowed to be reestablished after abandonment. Thereafter, the use of the building, structure or site must be in conformity with the regulations for the zone in which it is located.
- C. A nonconforming use may not hereafter be changed to any other nonconforming use, regardless of the conforming or nonconforming status of the building in which it is housed.

19.49.040 - Enlargement, alteration, reconstruction of nonconforming buildings and structures.

- A. Routine maintenance, cosmetic changes (such as new siding, windows, or roofing), changes to improve energy efficiency, changes to a structure to address unsafe conditions, or upgrading inadequate utilities must not be considered alterations.
- B. When a nonconforming building or structure is damaged by fire, natural disaster, or other calamity, and structural repairs needed to maintain a building or structure in a safe structural condition, the building or structure may be restored or replaced provided:
 - 1. A complete application for reconstruction or replacement is submitted within one year of the damage, and
 - 2. That the restoration or replacement must be made to conform to the regulations of the zone in which the building or structure is located, or if such regulations cannot physically be met without reducing the size of the building, the restoration may not extend any nonconformity that existed prior to the damage.
- C. Additions to nonconforming structures that meet all applicable zoning dimensional standards will not be considered an enlargement under this subsection.

19.49.050 - Abandonment.

- A. For the purposes of this section, abandonment will mean:
 - 1. An intention to abandon; and
 - 2. An overt act, which carries the implication that the owner does not claim or retain any interest in the right to the nonconforming use.
- B. Conformance After Abandonment. If any nonconforming use of land, building, or structure ceases for any reason whatsoever for a period of one year or more, any future use of such land, building or structure must thereafter be in conformity in the zone in which it is located. The mere presence of a structure, equipment, or material will not be deemed to constitute a continuance of a nonconforming use unless the structure, equipment, or material are actually being occupied or employed in maintaining such use.
- C. Procedure for Verifying Abandonment. When the department obtains information indicating that a nonconforming use, building or structure has or may have been abandoned, the department must send a letter by certified mail return receipt requested to the property owner requesting confirmation of either abandonment or non-abandonment. Documentation that the nonconforming use, structure, or building has been occupied, used, or maintained within the last year will be required. After notification, if the owner fails to respond to the request within sixty days, the building, structure, or use will be deemed abandoned. If the owner replies that the building, structure, or use is not abandoned, the director may initiate a Level 2 review to determine if the abandonment has occurred.

DIVISION 5 - COMMUNITY DESIGN

Division 5 - Community Design.....	186
Chapter 19.50 - INTRODUCTION.....	188
19.50.010 - Purpose.....	188
19.50.020 - Applicability.....	188
19.50.030 - Relationship to other street design plans and standards.....	188
Chapter 19.51 – PUBLIC STREET IMPROVEMENTS REQUIRED.....	189
19.51.010 - Purpose.....	189
19.51.020 – Applicability.....	189
19.51.030 - Minimum street improvement requirements.....	190
19.51.040 - Extent of required improvements.....	190
19.51.050 - Dedication of right-of-way.....	191
19.51.060 - Modifications, deferments, waivers, and construction-in-lieu.....	191
19.51.070 - Timing of improvements and bonding.....	193
Chapter 19.52 - PUBLIC STREET DESIGN.....	195
19.52.010 - Purpose.....	195
19.52.020 - Applicability.....	195
19.52.030 - City street classification system.....	195
19.52.040 - Street geometric design and streetscape.....	196
19.52.050 - Dead end streets and cul-de-sacs.....	202
19.52.060 - Street intersections.....	202
19.52.070 - Pavement design.....	202
19.52.080 - Street names and signage.....	202
19.52.090 - Street lights.....	203

19.52.100 – Street monuments.....	203
Chapter 19.53 - PRIVATE DRIVEWAYS & ACCESS	204
19.53.010 - Purpose.....	204
19.53.020 - Applicability.....	204
19.53.030 - Driveways and access easements.	204
19.53.040 - Residential shared driveways.....	206
19.53.050 - Internal circulation for cottage, townhouses, and multifamily developments.....	207
Chapter 19.54 - SUBDIVISION DESIGN & BLOCK STRUCTURE	209
19.54.010 - Purpose.....	209
19.54.020 - Block design and connectivity standards.....	209
19.54.030 - Open space/parks.....	210
19.54.040 - Lot design.....	212
19.54.050 - Access, services, and utilities.....	219

Chapter 19.50 - INTRODUCTION

19.50.010 - Purpose.

This division was authorized by the City Council as a major implementation tool of Anacortes's comprehensive plan. Overall, this division intends to:

- A. Provide clear objectives for those embarking on the planning and design of development projects in Anacortes.
- B. Preserve and protect the public health, safety, and welfare of the citizens of Anacortes.
- C. Promote and accomplish the goals, policies, and objectives of the Anacortes Comprehensive Plan.
- D. Upgrade the character and visual appearance of Anacortes.
- E. Promote increased pedestrian and bicycling use throughout the city.

19.50.020 - Applicability.

The community design provisions in this division generally apply to the following development within the city:

- A. All street improvements.
- B. All land divisions (see AMC 19.32 Land Divisions).
- C. All other development within the city where public improvements are required (see AMC 19.51.020).

19.50.030 - Relationship to other street design plans and standards.

The provisions herein are supplemented by the street standards in the most recent version of the Anacortes Engineering Design Standards. Where there is a conflict between the provisions of this division and other codes, the Public Works director must determine which provisions to apply based on consideration of public health and safety, engineering design principles, Comprehensive Plan goals and policies, and facilitating low impact development.

Chapter 19.51 – PUBLIC STREET IMPROVEMENTS REQUIRED

19.51.010 - Purpose.

19.51.020 - Applicability.

19.51.030 - Minimum street improvement requirements.

19.51.040 - Extent of required improvements.

19.51.050 - Dedication of right-of-way.

19.51.060 - Modifications, deferments, waivers, and construction in-lieu.

19.51.070 - Timing of improvements and bonding.

19.51.010 - Purpose.

- A. Establish the City's authority to require applicants for certain development permits to construct or make provisions for reasonable public street improvements.
- B. Establish criteria to be used to determine the nature, extent, and location of required street improvements.
- C. Promote safe and efficient access to property.
- D. Reduce the addition of impervious surfaces within the city.

19.51.020 – Applicability.

Construction or provision of public right-of-way improvements consistent with the requirements in this chapter and AMC Chapter 19.52 Public Street Design is required as condition of approval of the following development activities:

- A. Creation of any **new** dwelling units, except for accessory dwelling units.
- B. **Creation of any new non-residential development.**
- C. The establishment of new lots with a subdivisions, short subdivisions, or binding site plans when such lots do not otherwise have access from a public right-of-way.
- D. Alteration of, or addition to, a single family residence when the estimated value of the proposed structural improvements exceeds 50-percent of the Skagit County Assessor's value of the existing structure(s) on the subject property within a 12-month period.
- E. Alteration of, or addition to, a commercial, industrial, or multi-family development when the estimated value of the proposed improvements exceeds 50-percent of the Skagit County Assessor's value of the existing structure(s) on the subject property, within a 12-month period.

Exception: Tenant improvements to existing buildings (no new increase in gross floor area) are exempt from the public right-of-way improvements in this chapter.
- F. A change of use to a more intensive use of property that will result in increased impact (as determined by the director) to the transportation system, based on the Trip Generation Manual published by the Institute of Transportation Engineers (ITE) for the land use, or other source approved by the City.
- G. A new access point to a public street will be created.

- H. When a nonresidential, multifamily, townhouse, or cottage development establishes internal roadways for the purpose of complying with the block design and connectivity standards of AMC 19.54.020.

19.51.030 - Minimum street improvement requirements.

Typical required improvements for right-of-way (ROW). The public works director or designee must determine required improvements based on the standards and criteria in this chapter, and the Anacortes Engineering Design Standards. Required improvements must be located within the public ROW and/or the block frontage. Typical required public improvements include the following:

- A. Paved roadway.
- B. Street lighting.
- C. Sidewalks or other pedestrian and non-motorized facilities.
- D. Curb and gutter. Curb cuts or curbless streets may be required to make use of bioretention treatment in the right-of-way. See Figure 19.52.040(A) for an example. In addition, see LID street examples in Figures 12 and 14 (section view) on the LID Guide.
- E. Utilities including storm drainage, wastewater, and domestic water systems.
- F. Street landscaping and appurtenances.
- G. Traffic control and other safety devices including, but not limited to, provisions for channelization, pavement markings, signage, pedestrian safety, and traffic calming where such improvements are only necessary or practical to provide on the same side of the street as the subject property.
- H. Dedication of public right-of-way.
- I. Conduit for new and existing utilities.

19.51.040 - Extent of required improvements.

Extent of required improvements. This section identifies where improvements must be installed along the property frontage and when they must be extended past the property to ensure a smooth transition to adjacent improvements.

- A. When an existing right-of-way is paved, improvements must be installed from the centerline of the right-of-way, or center of the street as constructed, to the subject property's property line, for the entire length of the street frontage.
- B. Sidewalks extended. Sidewalks or pedestrian facilities must be extended to connect to existing pedestrian facilities where practical and reasonable, as determined by the public works director.
- C. Existing alleys. The following improvements are required when right-of-way for an alley exists adjacent to a site.
 - 1. For commercial, industrial, office, or multifamily projects, the applicant must improve the alley abutting the subject property and extend the improvements to an existing improved public street.
 - 2. For all types of development permits, the public works director must determine the extent and nature of improvements required in alleys on a case by case basis. Typical improvements include, but are not limited to, any or all of the following depending on the type of development proposed:

- a. Replacement of the alley driveway apron and curb.
 - b. Installation of storm drainage and other utilities.
 - c. Paving and repair of existing paving.
 - d. Installation of crushed rock in gravel alleys.
- D. Transition to existing improvements. If improvements required by this chapter will connect with improvements in the same ROW that do not conform to this chapter, the following applies:
 - 1. If the improvements will connect with existing improvements of a greater dimension, the improvement must be built at the greater dimension unless the public works director determines that the dimensions of the existing improvement will be decreased in the future.
 - 2. If the improvements will connect with existing improvements of a lesser dimension, the following applies, as determined by the public works director:
 - a. If the dimensions of the existing improvements will not be increased in the future, the new improvement must be permanently flared or tapered to match the existing improvements.
 - b. If the dimensions of the existing improvements will be increased in the future, the required improvements must be installed in the full length of the right-of-way abutting the subject property with temporary flaring or tapering on the existing improvements.
- E. Replacement of damaged or substandard existing improvements. For properties that have existing improvements within the adjacent public right-of-way, the applicant must remove and replace any damaged, substandard, or nonconforming improvements in conjunction with development of the property. Replacement includes, but is not limited to, cracked curb, gutter, landscape strip, sidewalk, storm drainage infrastructure, barrier-free ramps at street intersections, nonconforming driveway accesses, and installation of street trees.
- F. Relocation of existing franchise utilities. Franchise utilities must be relocated as required, including relocation underground, to accommodate necessary improvements. See AMC Chapter 15.32 Underground Utilities.

19.51.050 - Dedication of right-of-way.

- A. Existing ROW.** If an existing right-of-way abutting the subject property is not wide enough to contain the required improvements, the applicant must dedicate as right-of-way a strip of land adjacent to the existing right-of-way wide enough to encompass the required improvements.
- B. New ROW.** The public works director may require the applicant to make land available, by dedication, for new right-of-way and utility infrastructure if it is necessary as a result of the proposed development activity.

19.51.060 - Modifications, deferments, waivers, and construction-in-lieu.

- A. General.** The provisions of this section establish under what circumstances the requirements of this chapter may be modified, deferred, waived, or provided for with a sidewalk construction-in-lieu by decision of the public works director or by recommendation of the public works director when not the final decision-maker.
- B. Review process.**

1. A request for a modification, deferment, waiver, or sidewalk construction-in-lieu must be considered as part of the applicable review process for the underlying development permit application as outlined in AMC Table 19.20.030(1).
2. If subsection (B)(1) of this section does not apply (no land use permit is being reviewed), the public works director may grant a modification, deferment, waiver, or sidewalk construction-in-lieu in writing under the provisions of this section.
3. A modification, deferment, waiver, or sidewalk construction-in-lieu request that is approved under subsection (B)(1) of this section is binding on the City for all subsequent development permits issued for the development within five years of granting of the request.

C. Modifications.

A modification to the nature or extent of any required improvement may be granted for any of the following reasons:

1. The improvement as required would not match the existing improvements.
2. Unusual topographic or physical conditions preclude the construction of the improvements as required.
3. Other unusual circumstances preclude the construction of the improvements as required.
4. The applicant proposes special amenities such as wider planter strips, wider sidewalks, and/or curb gutter bump-ins to save significant trees or other natural features, or stormwater infrastructure that exceeds minimum standards.
5. A modified standard for a particular street or neighborhood has been approved by City Council (see the Anacortes Engineering Design Standards).

D. Deferment.

1. A deferment to the installation of required improvements may be granted for any of the following reasons:
 - a. The required improvement is part of a larger project that has been scheduled for implementation and is fully funded in the City's six-year Capital Facilities Plan.
 - b. Construction or alteration of a single-family dwelling unit on an existing lot greater than one acre (net) in size where there are no frontage improvements meeting city standards within 200-feet of the lot, or identified through approved plats, and potential exists for future development of the lot.
 - c. Other unusual circumstances preclude the construction of the improvements as required.
2. If the applicant meets the above criteria in Section 19.51.060(D)(1) for deferment, the applicant is only obligated to install, at a future date, improvements subject to AMC 19.51.040.
3. If the city approves a deferment, the applicant must sign a concomitant agreement to run with the property, in a form acceptable to the city attorney, specifying that the applicant must install or reimburse the city for construction of the deferred improvements as directed by the public works director. The applicant must record this agreement with the Skagit County Auditor's Office.
4. The applicant must grade the subject portion of the right-of-way as though the public improvement were to be immediately installed and stabilize the graded area in a manner approved by the public works director. The applicant may be relieved of this requirement if the public works director determines that unusual circumstances preclude the grading.

E. Waiver.

A waiver to the requirement to install all or a portion of the required improvements may be granted for any of the following reasons:

1. The installation of the improvements will cause a safety hazard or an environmental impact that cannot be mitigated; or
2. The current level and extent of the improvements in the ROW adjacent to the subject property are not likely to be changed in the future.

F. Sidewalk construction-in-lieu program.

1. This subsection establishes circumstances in which the applicant may propose an off-site sidewalk construction-in-lieu of installing on-site street improvements in the ROW abutting the subject property. The City may accept off-site sidewalk construction-in-lieu of installing on-site sidewalks in any of the following circumstances:
 - a. The installation of the required improvement would require substantial on-site roadway modifications.
 - b. The public works director determines that installation of the required improvement would result in a safety hazard.
 - c. Other unusual circumstances preclude the construction of the improvements as required.
 - d. The improvements would not be extended past the property in the future, due to adjacency of critical areas, Anacortes Community Forest Lands, or similar attribute or land designation.
2. In each instance where the City approves a proposed sidewalk construction-in-lieu under the provisions of this section, the value of the sidewalk construction-in-lieu must be no less than the then-estimated cost of constructing the street improvements that would otherwise be required under this chapter, based on information compiled and kept current by the Public Works Department on the cost of street improvement construction.
3. After the value of the improvements has been determined, the public works director must determine the location of the off-site improvements. The improvements must be located within the neighborhood of the subject development and directed toward sidewalks or other similar public infrastructure improvements.
4. In each instance where the City accepts a sidewalk construction-in-lieu of installing sidewalk, the subject property will not be subject to participation in future sidewalk improvement costs (along the property frontage) unless redevelopment occurs to a more intense land use than what was occurring on the property at the time of the sidewalk construction-in-lieu payment.

G. Multiple adjacent rights-of-way. When the subject property is adjacent to two or more rights-of-way, modifications, deferments, waivers, or sidewalk construction-in-lieu may be considered separately for each right-of-way. The highest level of improvement required must be constructed around the angle formed by the intersecting streets.

19.51.070 - Timing of improvements and bonding.

- A. In-lieu of completing the required public improvements prior to approval, the applicant may request final approval, subject to the approval of a suitable guarantee. The guarantee must be in a form acceptable to the city and in an amount commensurate with improvements to be completed. The amount of the guarantee is established at 150-percent of the cost of the city having to construct the improvements. The guarantee amount will require yearly review by the city and the applicant will be

required to revise the guarantee amount to reflect the current inflation rate. Based on the revised amount, the applicant will resubmit suitable guarantee to the city. Also, the guarantee will be restricted as far as the amount of permissible time in which the improvements must be completed. If not a regular surety bond from an acceptable stat-approved surety, the guarantee must be in a form acceptable to the city attorney.

- B. Guarantee funds will not be released by the city unless approval has been received from all applicable departments that are responsible for acceptance and/or maintenance of such improvements. Partial releases may be allowed.
- C. All improvements begun by the applicant must be completed. Once the applicant has begun making improvements, the applicant is not be eligible for submitting a guarantee to the city to cover the incomplete improvements.
- D. Public improvements must be in a place at time of certificate of occupancy or acceptable assurances for completion with a temporary certificate of occupancy.
- E. At the time of final acceptance of the improvements, the applicant must provide to the city a two-year warranty guarantee at ten-percent of the established final cost of the public and/or off-site improvements which must be acceptable to the city.

Chapter 19.52 - PUBLIC STREET DESIGN

Sections:

- 19.52.010 - Purpose
- 19.52.020 - Applicability.
- 19.52.030 - City street classification system.
- 19.52.040 - Street geometric design and streetscape.
- 19.52.050 - Dead end streets and cul-de-sacs.
- 19.52.060 - Street intersections.
- 19.52.070 - Pavement design.
- 19.52.080 - Street names and signage.
- 19.52.090 - Street lights.
- 19.52.100 - Street monuments.

19.52.010 - Purpose.

- A. Provide economy of land use, construction, and maintenance.
- B. Promote integration of low impact development techniques to reduce impervious surfaces, stormwater runoff, and protect water quality.

19.52.020 - Applicability.

This chapter applies to the construction or provision of public right-of-way improvements per AMC Chapter 19.51 Required Public Street Improvements.

19.52.030 - City street classification system.

- A. Functional Classification.** The Transportation Element of the Anacortes Comprehensive Plan designates public right-of-way and streets based on their functional classification and must be consulted to determine which standards in this chapter apply. The following roadway classification types are designated:
 - 1. Principal arterials. Streets that have a primary function of carrying traffic to and from major traffic generators and provide major connections to the regional arterial system.
 - 2. Minor arterials. Streets that provide movement of through traffic, must also provide considerably more access for local traffic that originates or is designed to commercial, retail, or activity centers along a corridor.
 - 3. Collectors. Streets that assemble and concentrate residential traffic and direct it toward the higher order arterial system.
 - 4. High volume local streets. Streets that primarily serve residential neighborhoods and some commercial uses and generally connect to collectors or minor arterials.
 - 5. Low volume local streets. Low volume streets that serve residential neighborhoods with no direct connections to collectors or arterials.

B. Unclassified and new streets. Classification of new streets or existing streets not already identified or classified on the Roadway Functional Classification map, for the purpose of determining the appropriate design of a roadway or development, or for the purpose of determining the appropriateness of a location for a proposed use, must be done by the public works director.

1. Factors to be considered in determining a street's classification include the following existing or proposed features:
 - a. Facility geometrics, including the number and width of traffic lanes, turning lanes, and parking lanes.
 - b. Access conditions, including any restrictions on access, the spacing of private accesses, and average lot frontage widths.
 - c. Traffic characteristics, including average daily traffic, percentage of trucks, average operating speed, percentage of turning movements, origin-destination characteristics of the traffic, and peak-hour characteristics of traffic.
 - d. Adjacent land uses.

19.52.040 - Street geometric design and streetscape.

A. Applicability. Required street improvements must meet the standards herein except when either of the following apply:

1. **Capital improvement projects.** In cases where the City Council has approved a capital improvements plan for a particular public right-of-way, that plan will govern the improvements required for the right-of-way and the provisions of this section do not apply.
2. **Modified and special standards.** In cases where a modified standard for a particular street or neighborhood has been approved by City Council per AMC 19.51.060(C)(5), or where special design standards are otherwise identified the Engineering Design Standards, those standards will govern the improvements required for the right-of-way and the provisions of this section do not apply.

B. Interpretation of Table 19.52.040(A) through (E).

1. Right-of-way. Right-of-way width depends on number of travel lanes, parking lanes, type of curb and gutter, and other elements provided.
2. Landscaped area. Landscaped area contains vegetation, pedestrian amenities, utilities, LID BMPs such as bioretention, and other roadside infrastructure. Street trees must be included according to the installation standards and requirements in the Anacortes Engineering Design Standards. When included, curbs are part of the landscaped area width.
3. Pavement width. Pavement width refers to the minimum width of the traveled way, bike lanes, and parking lanes. Parking lanes are optional and may be required in special circumstances to accommodate guest parking [AMC 19.64.030(B)], traffic calming, and/or applicable service deliveries and activities appropriate to the street context and/or typical to the size, type, and density of the proposed development. When included, parking lanes must be eight-feet wide and designed to provide water quality treatment consistent with AMC Chapter 19.76 Stormwater and the adopted DOE Stormwater Management Manual. When included, gutters are part of the pavement width.
4. Grade. The maximum grade is as noted. The maximum grade may be increased with approval of the Fire Department based on review of emergency services access and water supply availability.

5. Sidewalks. Refers to minimum width of sidewalks.
6. Bike lanes. Bike lanes may be included as individual bike lanes reserved for bicyclists, combined with trails, or striped as part of the street system.

Bike lanes must connect to and align with the Anacortes Bikes/Walks Plan and bike lanes on abutting property. Dimensional standards for bike route signage must comply with the Manual on Uniform Control Devices (MUTCD).

7. See AMC 19.51.060 for permitted modifications to the street standards within Tables 19.52.040(A) through (E).

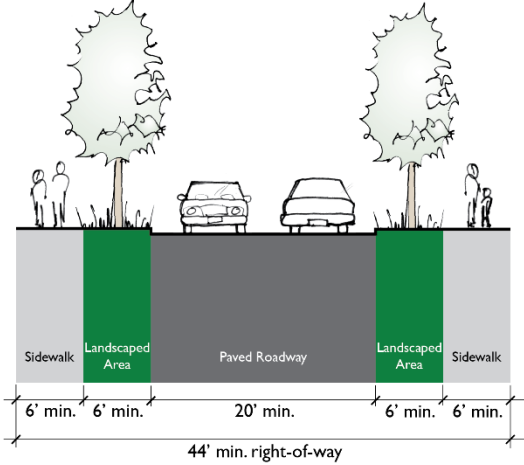
Table 19.52.040(A) Low-volume local street standards.		
For rules of interpretation, see subsection (B).		
Right-of-way width	44 ft. minimum	 Note: All residential subdivisions must accommodate provisions for guest parking [AMC 19.64.030(B)] and applicable service deliveries and activities typical to the size, type, and density of the proposed development. Guest parking may be accommodated by integrating on-street parking lanes and/or pockets, off-street parking areas, or other methods to the satisfaction of the public works director.
Landscaped area width	6 ft. minimum on each side	
Pavement width	20 ft. except where parking lane(s) are included	
Grade	12% maximum	
Sidewalk width	6 ft. minimum	
Bike lanes	NA	
Parking pocket	8 ft. minimum	 Parking pockets may be integrated into one or both sides of the street in place of landscaped areas for up to 50% of the street length provided wider planting strips and trees planted elsewhere along the street compensate for the displaced landscaped areas.

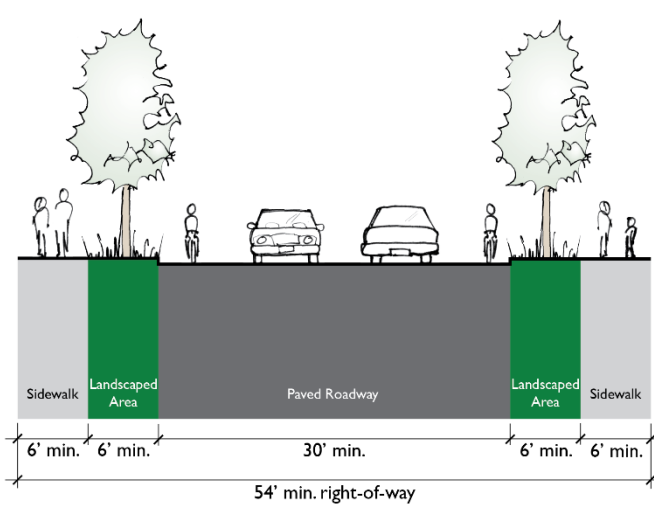
Table 19.52.040(B) Minor arterial, collector, or high-volume local street design standards.		
For rules of interpretation, see subsection (B).		
Right-of-way width	54 ft. minimum	 Note: On-street parking lanes may be integrated or required along key street segments to support adjacent land uses (including service access and delivery) based on the existing and planned context of the area.
Landscaped area width	6 ft. minimum on each side	
Pavement width	30 ft. except where parking lane(s) are included	
Grade	12% maximum	
Sidewalk width	6 ft. minimum	
Bike lanes	Yes	

Table 19.52.040(C) Principal arterial street design standards.		
For rules of interpretation, see subsection (B).		
Right-of-way width	80 ft. minimum	
Landscaped area width	Varies per block	
Pavement width	Varies	
Grade	12% maximum	
Sidewalk width	6 ft. minimum	
Bike lanes	Yes	

Table 19.52.040(D) Alley design standards.		
For rules of interpretation, see subsection (B).		
Right-of-way width	16-20 ft.	
Landscaped area width	NA	
Pavement width	12-20 ft.	
Grade	12% maximum	
Sidewalk width	NA	
Bike lanes	NA	

Table 19.52.040(E) Lane design standards.		
Lane street types are permitted for residential development accessing up to 9 dwelling units. For rules of interpretation, see subsection (C).		
Right-of-way width	32 ft.	The diagram illustrates a cross-section of a lane design. It consists of three main sections: a sidewalk on the left, a landscaped area in the middle, and a paved roadway on the right. The sidewalk is labeled 'Sidewalk' and has a minimum width of 6 feet. The landscaped area is labeled 'Landscaped Area' and has a minimum width of 6 feet. The paved roadway is labeled 'Paved Roadway' and has a minimum width of 20 feet. The total width of the right-of-way is indicated as 32 feet minimum. The diagram also shows a tree in the landscaped area and two cars on the paved roadway.
Landscaped area width	6 ft. minimum one side	
Pavement width	20 ft.	
Grade	12% maximum	
Sidewalk width	6 ft. minimum (one side)	
Bike lanes	NA	

19.52.050 - Dead end streets and cul-de-sacs.

- A. Limited application. Dead end streets and cul-de-sacs are limited in application and may only be permitted where, due to demonstrable physical constraints, no future connection to a larger street pattern is physically possible. See AMC 19.54.020 Block design and connectivity standards for related standards.
- B. Minimum requirements. Streets longer than 150' require an approved turnaround, such as a hammerhead or cul-de-sac. The Fire Department will determine the type of turnaround required based on the number of units accessing the street and other site specific characteristics.
- C. Hammerhead design. The hammerhead turnaround must comply with the Anacortes Engineering Design Standards and Fire Department requirements.
- D. Cul-de-sac design. The cul-de-sac turnaround must comply with the Anacortes Engineering Design Standards and Fire Department requirements. Cul-de-sacs may have a landscaped center area to implement LID BMPs like bioretention. The landscaping must be maintained by the homeowner's association or adjacent property owners.
- E. Waiver of turnaround. The requirement for a turnaround or cul-de-sac may be waived with approval of the Fire Department when the development proposal will not create an increased need for emergency operations or the impacts are otherwise mitigated.

19.52.060 - Street intersections.

The following standards apply to street intersections:

- A. Streets must intersect at right angles, except when topography dictates otherwise, and in no case may the angle of intersections be less than 60 degrees.
- B. Two streets meeting at a third street from opposite sides must meet at the same point, or their centerlines must be offset at least 125-feet.
- C. Intersection design must provide acceptable visibility for traffic safety as dictated by the designed operating speeds on the individual roadways.
- D. Intersections of local streets with arterials and highways must be kept to a minimum.

19.52.070 - Pavement design.

The design of pavement structures and subgrades must conform to the Anacortes Engineering Design Standards.

19.52.080 - Street names and signage.

- A. Generally. Names of new streets must not duplicate the names of existing streets unless the new street continues or aligns with an existing street. All new street names must be submitted to and approved by the City.
- B. Street name signs. Street name signs must be manufactured and installed in accordance with specifications of the Anacortes Engineering Design Standards.
- C. Warning and regulatory traffic signs. Within the Anacortes city limits, warning and regulatory traffic signs must be installed within and must abut the subdivision in accordance with the Manual on Uniform Control Devices (MUTCD).

19.52.090 - Street lights.

Street lighting must be installed by the applicant conforming to the Anacortes Engineering Design Standards.

19.52.100 – Street monuments.

Existing monuments must remain undisturbed during construction. New monuments may be required per the Anacortes Engineering Design Standards.

Chapter 19.53 - PRIVATE DRIVEWAYS & ACCESS

Sections:

19.53.010 - Purpose.

19.53.020 - Applicability.

19.53.030 - Driveways and access easements.

19.53.040 - Residential driveway types.

19.53.050 - Internal circulation for cottage, townhouses, and multifamily developments.

19.53.010 - Purpose.

To enhance safe and efficient roadway operations while providing access to adjacent properties and businesses.

19.53.020 - Applicability.

All new or altered private driveways and private accesses onto a city street (including temporary or construction accesses) must comply with this chapter and the Anacortes Engineering Design Standards.

19.53.030 - Driveways and access easements.

A. General. Dimensions, slopes, and details for all driveways and access easements connecting to a city street must comply with this chapter and the Anacortes Engineering Design Standards.

B. Driveway location.

1. Collector & arterial streets. Driveways providing direct access onto a collector or arterial street are prohibited when an alternative access is available. When alternative access is not available, a driveway or access may be permitted onto a collector or arterial when approved by the public works director.
2. Frontage on multiple streets. Where a property has frontage on more than one street, driveways and accesses are limited to the lowest volume street, as determined by the public works director.
3. Alleys. Where a property abuts an alley, driveways must access from the alley, except when either of the following conditions exist:
 - i. The property is in a residential zone and topography, lack of existing improvements, or other conditions makes alley access impracticable.
 - ii. The property is located in a mixed-use, industrial, or R4 zone and anticipated traffic generation of the use in combination with other existing or future permitted uses along the block would exceed the functional capacity of the alley.

C. Driveway spacing from a street intersection.

1. Driveways and access easements should be located at the greatest distance possible from an intersection of two streets and must meet the minimum spacing standards in the Anacortes Engineering Design Standards.
2. When compliance with minimum spacing standards in the Anacortes Engineering Design Standards would result in a property without a reasonable means of connection to the street system, a new driveway may be allowed within a smaller distance. The applicant may be required

to provide a traffic impact analysis to support the request. Conditions of approval may be established, including, but not limited to:

- a. Traffic volume and movements. Limits on the maximum vehicular usage of the connection or limits on turning movements.
- b. Joint Use Connection. A legally enforceable joint use driveway easement when needed to maintain the operational efficiency and safety of the street.
- c. Future alternate access. If and when future alternate means of access becomes available, the nonconforming connection must be removed.

D. Driveway separation. Driveways must be separated by a minimum of 30-feet, except where no other option exists per the public works director.

E. Number of driveways. A maximum of one driveway per lot is allowed, except:

1. When additional driveways or accesses are needed due to the amount of traffic generated by the project and there is enough space to safely accommodate the additional driveway or access.
2. When permitted for applicable housing type standards in AMC 19.43.010 provided such driveways meet separation standards in subsection (D) above.

F. Driveway cut width. Driveway cuts are limited to the widths identified in Table 19.53.030.

Table 19.53.030 Driveway cut width.		
Use Type	Minimum Width	Maximum Width
Residential		
Lot width = 50-feet or greater	10-feet	20-feet
Lot width < 50-feet	10-feet	12-feet or 20-feet if shared with adjacent lot
Commercial and Industrial	20-feet	30-feet

19.53.040 - Residential shared driveways.

A. Shared driveways may be allowed for providing access to residential units in a subdivision per Table 19.53.040(B), provided:

1. The residential units being served by a shared driveway are any combination of single-family, duplex, or triplex buildings on individual lots.
2. At least one lot abuts a public right-of-way and the lot frontage of the lot is equal to or greater than the minimum lot width circle requirement of the zone.
3. A public street is not anticipated by the City of Anacortes to be necessary for existing or future traffic and/or pedestrian circulation through the short subdivision or to serve adjacent property.
4. The shared driveway would not adversely affect future circulation to neighboring properties.
5. The shared driveway poses no safety risk and provides sufficient access for emergency vehicles and personnel.

See AMC 19.54.040(E) for shared-access lot standards.

B. Minimum standards.

1. Shared driveways must be located within an easement or tract.
2. Table 19.53.040(B) provides standards for the maximum length, minimum paved width and easement width, and applicable turnaround requirements.

Table 19.53.040(B) Residential shared driveway standards.				
Max. # units¹	Max. length	Min. Paved width	Min. Easement width	Turnaround?³
Up to 3	150'	16' ²	20'	No
Up to 6	150'	20'	20'	No
Up to 6	>150'	20'	20'	Yes – approved turnaround
¹ Individual cottages, for the purposes of these shared driveway standards, count as one-half dwelling unit.				
² Or as determined by the Fire Department based on the number of units and the provision of fire suppression sprinklers.				
³ See AMC 19.52.050 for related standards.				

3. If a shared driveway abuts properties that are not part of the subdivision, a five-foot wide landscape buffer must be provided between the shared driveway and neighboring properties.
4. Stormwater collection and treatment must be provided according to AMC Chapter 19.76 Stormwater.
5. The maximum grade must not exceed 12-percent. The maximum grade may be increased with approval of the Fire Department based on review of emergency services access and water supply availability.

6. The minimum base and surfacing must comply with the Anacortes Engineering Design Standards and be capable of supporting fire apparatus.
7. New lots served by shared driveways are subject to the design provisions of AMC 19.54.040(E).

C. Signage and addressing.

1. Traffic control devices including installation of “No Parking” signs as required by the city must be provided.
2. Lots served by the shared driveway must be addressed to the public street to which the shared driveway connects.

D. Easement or tract ownership and maintenance.

1. The easement or tract must be shown and recorded on the face of the plat or with the land division to be preserved in perpetuity. If a tract is created, the owners of the subject lots must have an equal and undivided interest in ownership of the tract.
2. Appropriate legal instruments ensuring that the shared driveway can be continually maintained to minimum standards listed in this section by the owners of the lots served by the driveway must be provided prior to recording of the short plat.

E. Obstructions. A restriction prohibiting any temporary or permanent physical obstructions within the easement, including, but not limited to, the parking of non-emergency vehicles, must be shown on the face of the short plat.

F. Timing of improvements. The shared driveway must be installed prior to recording of the plat unless approved for deferral/bonding.

19.53.050 - Internal circulation for cottages, townhouses, and multifamily developments.

Internal shared-access drives for cottages, townhouses, and multifamily development are subject to the following standards:

- A. Internal shared-access drives must be a minimum of 20-feet wide within a minimum 20-foot wide easement (if applicable). Alternative designs will be considered in consultation with the Fire Department based on whether fire apparatus can enter the site, location and distance of fire hydrants, provision of fire-suppression sprinklers, and water supply availability.
- B. Internal shared-access drives may provide direct access to off-street parking spaces and/or incorporate parallel parking spaces, provided the minimum dimensional standards of AMC 19.64.050 are met. Note that certain parking angles may require wider dimensions than those required in subsection (A) above.
- C. Pedestrian circulation.
 - I. Sidewalk.
 - a. When required. Internal shared-access drives which serve four or more units must include at least one sidewalk on one side of the drive.
 - b. Dimensions. Sidewalks must be curbed and raised six-inches and have a minimum clear width of five-feet. Where a sidewalk is adjacent to perpendicular or angled parking, an extra two-feet of width must be provided to accommodate parked vehicles overhanging the sidewalk unless wheel stops are installed to prevent parked vehicles from overhanging the curb.

- c. 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.
 - d. The sidewalk must connect to a public street and must minimize walking distances to the extent practical.
2. Sidewalks must be separated from structures with at least three-feet of landscaping.
- Departures will be considered provided the location and design of the walkway and adjacent building elevation minimize privacy impacts to building residents and enhances the character of the development.
3. Crosswalks are required when a pedestrian pathway crosses an on-site paved area accessible to vehicles. Crosswalks must contain contrasting material (such as concrete) and/or patterns (such as stamped asphalt), excluding painted surfaces.

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

Sections:

19.54.010 - Purpose.

19.54.020 - Block design and connectivity standards.

19.54.030 - Open space/parks.

19.54.040 - Lot design.

19.54.050 - Access, services, and utilities.

19.54.010 - Purpose.

The purpose of this chapter is to:

- A. Enhance the character and livability of Anacortes's neighborhoods.
- B. Encourage compact and walkable neighborhoods and connections between neighborhoods.
- C. Promote "eyes on the street" for safety.
- D. Promote subdivision design that reduces energy consumption.
- E. Integrate open spaces, natural elements, utilities, and recreational features into the design of developments.

19.54.020 - Block design and connectivity standards.

Anacortes's comprehensive plan places a high priority on being a "walkable" community. In order to be walkable, there needs to be frequent accessible and attractive connections between destinations. Consequently, this requires a well-connected system of streets and pathways that encourages people to walk. Thus, block size and design has a direct impact on the walkability of a community.

A. All zones.

- 1. Connectivity to abutting lands. The street system of proposed subdivisions must be designed to connect with existing, proposed, and planned streets outside of the subdivision. Wherever a proposed development abuts unplatted land or other land with the capability of being further subdivided, street stubs must be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. All street stubs must be provided with a temporary turn-around unless specifically exempted by the fire marshal, and the restoration and extension of the street must be the responsibility of any future developer of the abutting land.
- 2. Continuation of streets. Planned streets must connect with surrounding streets to permit the convenient movement of traffic between neighborhoods and to facilitate emergency access and evacuation. Connections must be designed to meet or exceed the block standards in subsections (B) and (C) below, and to avoid or minimize through traffic on local streets.
- 3. Pedestrian pathways. Short internal pathways can improve pedestrian mobility within developments. Examples could include a pathway in the middle of a block or at the end of a cul-de-sac. Such pathways must be located within an easement or common open space tract allowing for public access and maintained by the homeowner's association unless the city or other public authority accepts an offer of dedication.

B. Residential zones. New residential developments must provide an integrated and connected network of streets to help provide a sense of place and orientation and provide multiple travel route options for all users. A street network dominated by long, irregular loop roads and cul-de-sacs is not appropriate. The following standards apply to new development in the residential zones.

1. Blocks must be designed to provide pedestrian and vehicular connections at intervals no greater than 660-feet.
2. DEPARTURES to the standard in paragraph (1) will be considered per AMC 19.20.220 provided the alternative design meets the purposes of the standards (see AMC 19.54.010 above) and meets the following criteria:
 - a. 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
 - b. Departures meeting criteria in paragraph (a) above 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 director may relax the standards provided the proposed design maximizes pedestrian and vehicular connectivity on the site given the constraints.

C. Mixed-use and industrial zones. New developments in mixed-use and industrial zones must provide an integrated and connected network of streets to help provide multiple travel route options for all users and comply with the goals and policies of the Anacortes Comprehensive Plan.

19.54.030 - Open space/parks.

A. Park-land requirement. Park-land dedication is required for subdivisions with ten or more lots. The decision-maker must select one of the following:

1. One-tenth of the combined area of lots one acre or less in size, exclusive of all other dedications, must be forever dedicated to the public for parks, open space, or playgrounds. The decision-maker, in consultation with the parks department, must determine suitable locations for such parks and playgrounds.
2. The subdivider creates a property owners' association for the proposed subdivision and deeds to the association land to be held in perpetuity for use as parks, open space, or playgrounds. The area of land to be deeded to the association must equal the amount that would otherwise have been dedicated to public use.
3. The city may make an order to be endorsed and certified on the plat accepting impact fees per AMC Chapter 3.93 in-lieu of dedication of land that would have been dedicated. If the value is not agreed upon between the subdivider and the administrator, the developer may, at his/her expense, have the value established by a qualified real estate appraiser acceptable to the administrator.

B. Park design criteria. Parks and open space integrated into residential subdivisions must meet the following design criteria:

1. Must be convenient, usable and accessible. All open spaces must be physically and visually accessible from the adjacent street or major internal pedestrian route. Open spaces must be in locations that the intended user(s) can easily access and use, rather than simply left-over or

undevelopable space in locations where very little pedestrian traffic is anticipated or terrain makes access and use difficult. Locations integrated with transit stops, for instance, would be encouraged, as there is likely to be pedestrian traffic in the area.

Figure 19.54.030(B)(1)
Examples of accessible parks.



These parks are located in accessible and centralized locations within the neighborhood. Both parks have accessibility from streets on multiple sides combined with good visibility from adjacent homes.

2. Must be inviting. Inviting open spaces feature amenities and activities that encourage pedestrians to use and explore the space. On a large scale, it could be a combination of active and passive recreational uses. It could include a children's play area, special landscaping element, or even a comfortable place to sit and watch the world go by. In order for people to linger in an open space, it must be comfortable. For instance, a plaza space should receive ample sunlight, particularly at noon, and have design elements that lend the space a "human scale," including landscaping elements, benches and other seating areas, and pedestrian-scaled lighting. No use must be allowed within the open space that adversely affects the aesthetic appeal or usability of the open space.

Figure 19.54.030(B)(2)
Examples of inviting park design.



Examples of inviting park design, with design features and amenities that attract usage from the surrounding community.

3. Must be safe. Safe open spaces incorporate Crime Prevention through Environmental Design (CPTED) principles:
 - a. Natural surveillance - which occurs when parks or plazas are open to view by the public and neighbors. For example, a plaza that features residential units with windows looking down on space means that the space has good “eyes” on the park or plaza.
 - b. Lighting that reflects the intended hours of operation and is appropriate for the proposed activities.
 - c. Landscaping and fencing. Avoid configurations that create dangerous hiding spaces or minimize views.
 - d. Entrances should be prominent, well lit, and highly visible from inside and outside of the space.
 - e. Maintenance. Open spaces must utilize commercial grade materials that will last and require minimal maintenance costs. Walls, where necessary, must be designed and treated to deter graffiti. Use and maintain landscape materials that reduce maintenance cost and maintain visibility, where desired.
4. Provides for uses/activities that appropriately serve the anticipated residents and users of the development. For example, common open space that serves a variety of functions will attract greater usage. When designing open spaces, project applicants should consider a broad range of age groups, from small children, to teens, parents, and seniors.
5. Must be well maintained. Open space must be maintained by the land owner(s) unless the city or other public authority accepts an offer of dedication.
6. May include LID BMPs. Open spaces may include LID BMPs, like rain gardens, in up to 25-percent of subdivision open spaces (cumulative).

19.54.040 - Lot design.

A. Generally.

- I. Lots within subdivisions must be designed to allow placement of homes to address functional design issues. Lots must be designed to contain a usable building area. If the building area would be difficult to develop, the lot must be redesigned or eliminated, unless special conditions can be

imposed that will ensure the lot is developed consistent with the standards of this code and does not create nonconforming structures, uses or lots. Soil analysis which determines low-impact development infiltration feasibility may affect site designs and home placement.

2. The placement and orientation of lots and homes should consider privacy, solar orientation, access, location and access to open space and other factors that can contribute to the overall livability of the home and its relationship to the surrounding environment. Flexibility is encouraged in spatial orientation of homes on lots to address these issues and create interesting and attractive streetscapes with homes having a high functional value that might not otherwise occur with a less flexible approach.
3. To maximize site efficiency and usable open space, small lot developments (generally less than 5,000-square-feet in area and less than 50-feet wide) are encouraged to utilize the lot design standards of this chapter or related design schemes provided they meet access, design, and other applicable standards established in this Title.

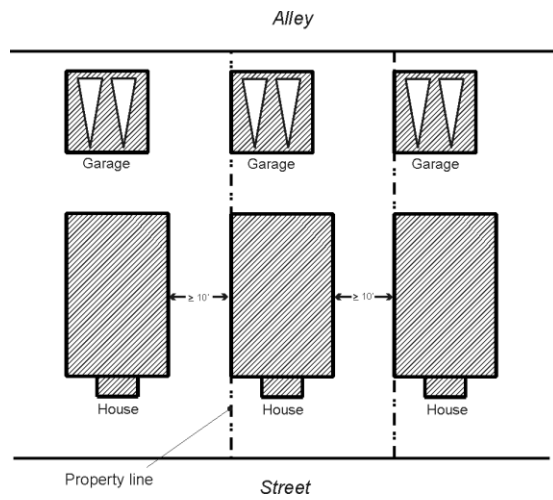
B. General standards

1. Zero lot line, reciprocal use easement lots, and shared-access lots developments are allowed in all residential zones except Old Town (see AMC 19.42.160 for supplemental form and setback standards in Old Town).
2. Lot lines which are contiguous with the development's exterior property line must meet the standard setback requirements of Table 19.42.020.

C. Zero lot line. This is a configuration where the house and/or garage is built up to one of the side property lines within the development, providing the opportunity for more usable side setback space. Standards:

3. Dwelling units and accessory structures may be placed on one interior side property line that is part of the development. The opposite side setback must be at least 10-feet. Also see AMC 19.43.010(C) for small lot single family development standards, including minimum usable open space requirements.
4. Privacy wall. In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls along a zero lot line structure are allowed except for windows that do not allow for visibility into the interior side setback of the adjacent lot. Examples include clerestory or obscured windows. See Figure 19.54.040(E) below for an example of a privacy wall for a zero lot line house.
5. Eaves along a zero lot line may project a maximum of 18-inches over the interior side property line.
6. Lots intended for zero lot line homes must be noted on the plat, together with minimum side setback areas and maximum building envelopes.

Figure 19.54.040(C)
Zero lot line design.



Zero lot line layout example (left). The right image shows the side setback and privacy wall for a zero lot line house.

D. Reciprocal use easement lots. Reciprocal use easements work similar to the zero lot line configuration. Principal and accessory structures must meet the standard setbacks, and easements are granted on one side to allow use of the side setback by the adjacent property [see Figure 19.54.040(D) for an example]. Reciprocal use easements may also be used in the rear setback to maximize usable open space.

1. Reciprocal easements must be noted on the plat. Easement areas may be used for the minimum usable open space requirements in AMC 19.43.010(C)(3)(c).
2. Privacy wall. In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls of a structure along a reciprocal use easement are allowed except for windows that do not allow for visibility into the side setback of the adjacent lot. Examples include clerestory or obscured windows. See Figure 19.54.040(C) above for an example of a privacy wall.
3. Areas within reciprocal use easements may count towards usable open space requirements for applicable lots.

Figure 19.54.040(D)
Reciprocal use lots examples.

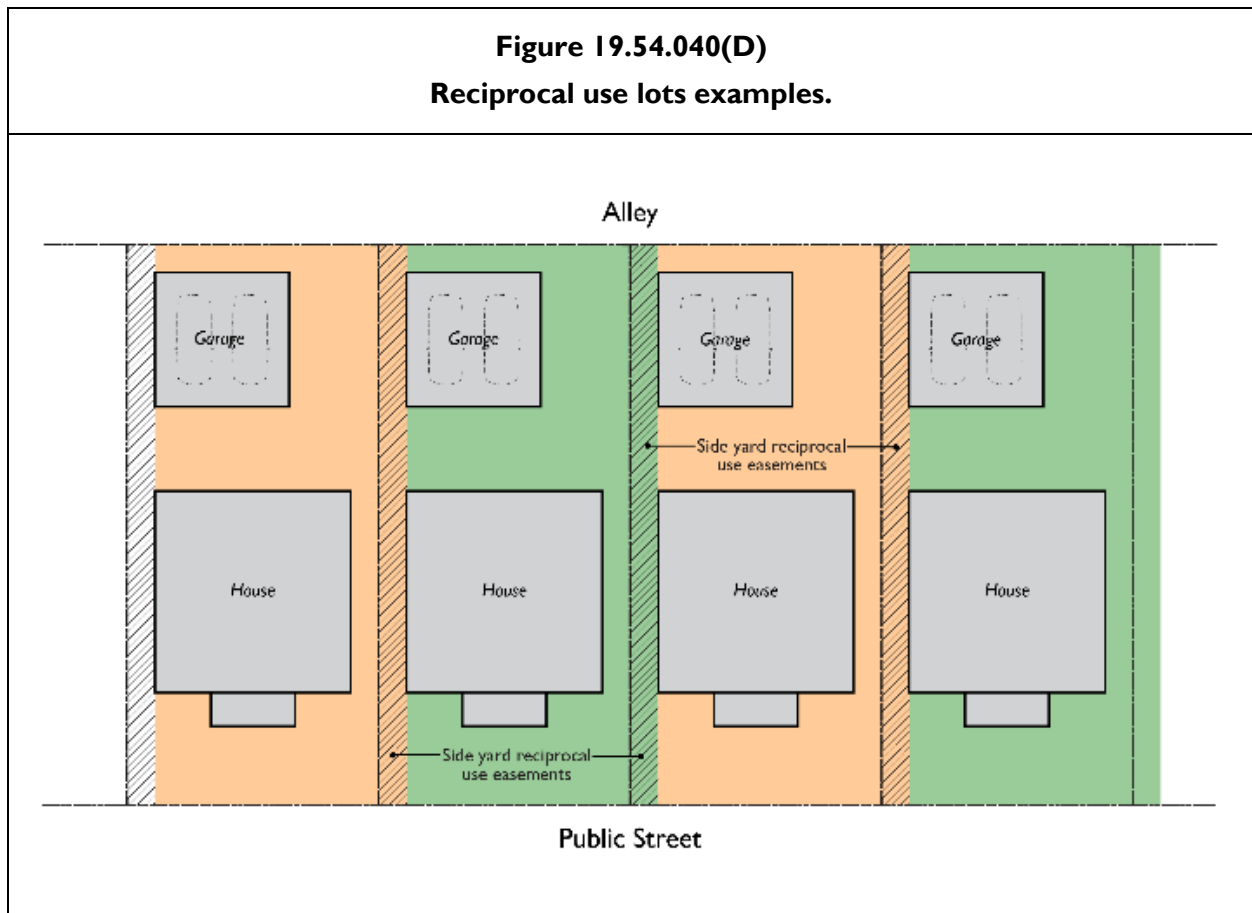
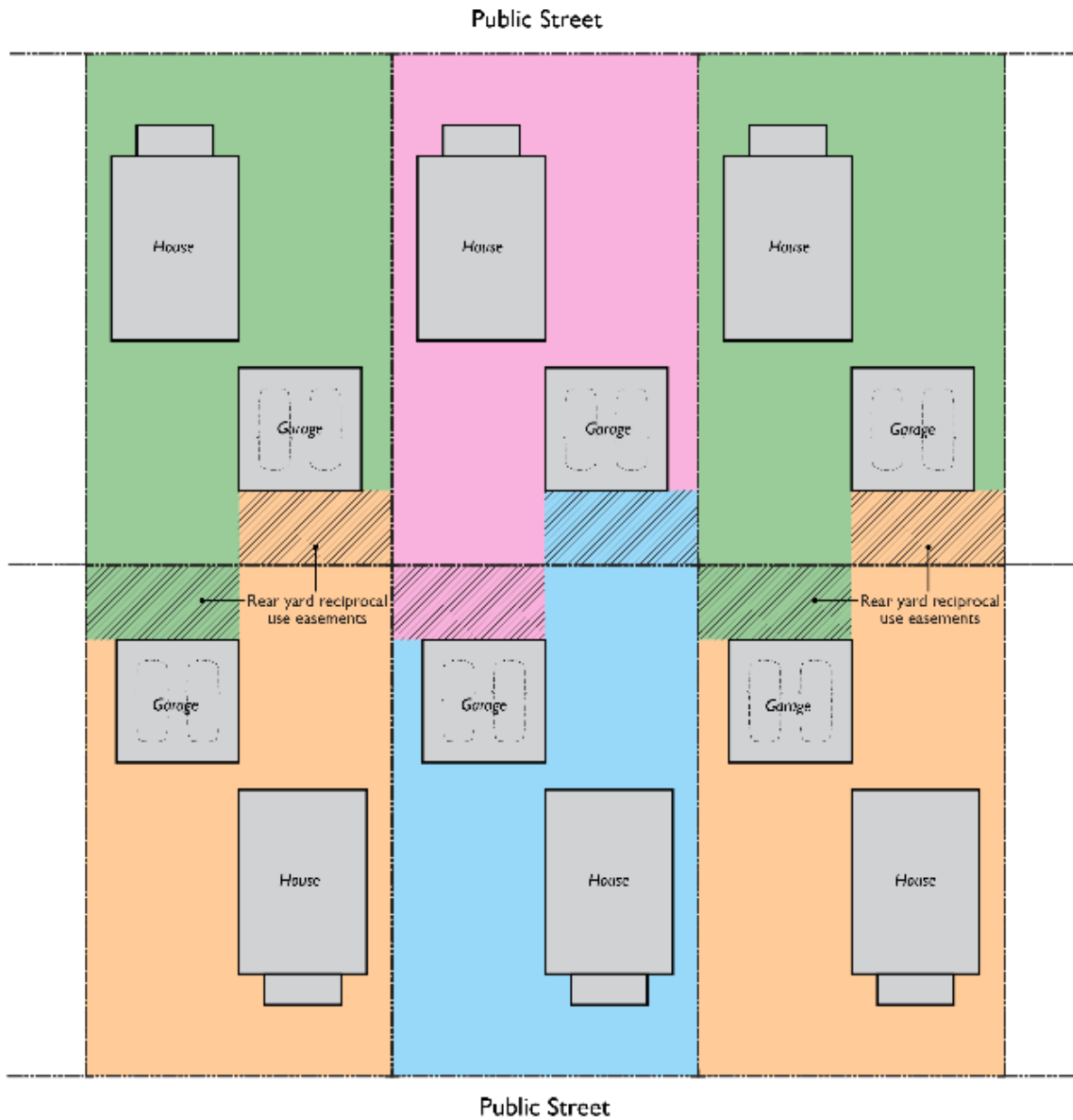


Figure 19.54.040(D)
Reciprocal use lots examples.



Example of a reciprocal side setback easement configuration (top image) and reciprocal rear setback easement configuration (bottom image).

E. Shared-access lots. This includes a series of lots clustered around a shared driveway (see AMC 19.53.040). Standards:

1. Maximum number of lots served by a shared-access: Six [this includes lots fronting the street on either side of the shared-access as shown in Figure 19.54.040(E)].
2. Maximum length and width of shared-access: See AMC 19.53.040.
3. Setback standards and options for lots served by a shared driveway.
 - a. Lots fronting on a public street and containing a shared driveway on one side are considered corner lots for the purpose of determining setbacks [see AMC 19.42.140(B)(2) for details].
 - b. Garages facing a shared driveway easement must be setback at least 20-feet from the easement line.
 - c. For interior lots featuring a shared driveway and easement extending through one side of the lot, no street setback is required. Such lots are subject to interior side setbacks on three sides. For the side of the lot featuring the access easement, the interior side setback is applied from the edge of the easement. The rear setback is located opposite the shared driveway.
 - d. Lots sited at the terminus of a shared driveway easement are exempt from the street setback requirement. Such lots must meet interior side setbacks on three sides and a rear setback on one side.

See Figure 19.54.040(E) for examples of subdivisions served by shared driveways and clarification of street, interior, and rear setbacks.

Figure 19.54.040(E)
Examples of shared-access lots.



F. Alley access lots. This includes configurations where lots are provided with vehicular access by an alley designed per the most recent version of the Anacortes Engineering Design Standards.

1. Alley access lots are only allowed where the lots front onto a park or trail (on the opposite side of the lot from the alley). Dead-end alleys are subject to the turn-around standards of AMC 19.52.050 and through alleys are limited by the maximum block length standards of AMC 19.54.020(B).
2. Pedestrian access to each alley access lot must be provided by either a public street or a pedestrian easement with a sidewalk.

19.54.050 - Access, services, and utilities.

- A. Each lot in a residential subdivision must have access directly to a public right-of-way, except for:
 1. Interior lots served by a shared driveway that complies with the provisions of AMC 19.53.040.
 2. Alternative lot designs as described in AMC 19.54.040.
 3. Any lot created that is not adjacent to a public right-of-way but that has a right of ingress and egress to that right-of-way provided that such right has been established as a matter of record in a manner that runs with the land and is irrevocable.
- B. All driveways must be constructed in compliance with AMC 19.53.030 and the Anacortes Engineering Design Standards.
- C. Each lot in a residential subdivision must be provided with adequate provisions for water supplies, sanitary wastewater facilities, storm drainage and surface water facilities, electric, and natural gas facilities (if applicable), consistent with the requirements of Anacortes Engineering Design Standards.
- D. Approval of subdivisions may be conditioned upon dedications to the city of drainage ways, other public ways, water supplies, sanitary wastewater facilities, parks, playgrounds, and sites for schools per RCW 58.17.110 and subject to the provisions of RCW 82.02.020.

DIVISION 6 - PROJECT DESIGN

Division 6 - Project Design..... 220

Chapter 19.60 - INTRODUCTION..... 224

19.60.010 - Purpose..... 224

19.60.020 - Applicability and compliance..... 224

19.60.030 - How the provisions of this division are applied..... 227

Chapter 19.61 - BLOCK FRONTAGE STANDARDS..... 228

19.61.010 - Purpose..... 228

19.61.020 - Applicability..... 228

19.61.030 - How to use this chapter..... 229

19.61.040 - Block frontage designation maps..... 230

19.61.050 - About the transparency standards..... 237

19.61.060 - Storefront block frontage standards..... 239

19.61.070 - Landscaped block frontage standards..... 243

19.61.080 - Mixed block frontage standards..... 246

19.61.090 - Marine street standards..... 249

19.61.100 - Gateway block frontage standards..... 251

19.61.110 - Undesignated (streets with no designated block frontage)..... 253

19.61.120 - Trail block frontage standards..... 254

19.61.130 - Esplanade block frontage standards..... 254

19.61.140 - Central waterfront (CW) corridors and block frontage standards..... 255

19.61.150 - Where properties front onto multiple streets..... 255

19.61.160 - Where properties have multiple designations along one frontage..... 256

19.61.170 - High visibility street corners..... 257

19.61.180 - Framework development plan.....	259
Chapter 19.62 - SITE PLANNING.....	260
19.62.010 - Purpose.....	260
19.62.020 - Applicability.....	260
19.62.030 - Relationship to adjacent properties.....	261
19.62.040 - Internal open space.....	263
19.62.050 - Internal pedestrian access and design.....	269
19.62.060 - Vehicular circulation and parking.....	275
19.62.070 - Service areas and mechanical equipment.....	277
Chapter 19.63 - BUILDING DESIGN	282
19.63.010 - Purpose.....	282
19.63.020 - Applicability.....	282
19.63.030 - Building massing and articulation.....	283
19.63.040 - Building details.....	289
19.63.050 - Building materials.....	296
19.63.060 - Blank wall treatment.....	300
Chapter 19.64 - PARKING.....	302
19.64.010 - Purpose.....	302
19.64.020 - Generally.....	302
19.64.030 - Computation of required parking spaces.....	303
19.64.040 - Number of parking spaces required.....	304
19.64.050 - Size of parking spaces.....	308
19.64.060 - Modifications to parking requirements.....	309
19.64.070 - Parking fee-in-lieu.....	310
19.64.080 - Shared parking.....	311
19.64.090 - Parking for shell building permits.....	311

19.64.100 - Bicycle parking requirements.	311
19.64.110 - Parking area design and construction standards.	313
19.64.120 - Parking area maintenance.	313
Chapter 19.65 - LANDSCAPING.....	315
19.65.010 - Purpose.	315
19.65.020 - Applicability and compliance.	315
19.65.030 - Landscaped area, defined.	316
19.65.040 - Landscape plans.	316
19.65.050 - Plant material and installation standards.	317
19.65.060 - Landscaping types.	319
19.65.070 - Landscaping site design standards.	325
19.65.080 - Maintenance.	330
19.65.090 - Irrigation standards.	330
19.65.100 - Performance assurance/bonding.	331
Chapter 19.66 - FENCES, WALLS & HEDGES.....	332
19.66.010 - Purpose.	332
19.66.020 - Applicability.	332
19.66.030 - Fences, walls, and hedges for residential zones.	332
19.66.040 - Fences, walls, and hedges for mixed-use and industrial zones.	337
19.66.050 - Fence, wall, hedge, and rockery measurements.	337
19.66.060 - Fence and wall location and maintenance.	338
19.66.070 - Fence types prohibited.	338
19.66.080 - Retaining walls and rockeries.	339
Chapter 19.67 - SIGNS.....	343
19.67.010 - Purpose.	343
19.67.020 - Applicability.	344

19.67.030 - Sign definitions.....	345
19.67.040 - General requirements	346
19.67.050 - Measurement of sign area.....	351
19.67.060 - Signs types and standards.	353
19.67.070 - Signs types permitted by zone	359
19.67.080 - Supplemental freestanding sign design standards.....	360
19.67.090 - Supplemental building-mounted sign standards.....	365
19.67.100 - Noncommercial speech signs.	376
19.67.110 - Temporary sign standards.	376
19.67.120 - Supplemental sign setback requirements.....	383
19.67.130 - Nonconforming signs.....	383
19.67.140 - Violations.....	384
19.67.150 - Severability.....	384
Chapter 19.68 - WIRELESS TELECOMMUNICATIONS TOWERS & ANTENNAS	386
Chapter 19.69 - STANDARDS, GENERALLY	387
19.69.010 - Purpose of this division and adoption by reference.....	387
19.69.020 - Noise	387
19.69.030 - Air pollution.....	387
19.69.040 - Exterior lighting.....	388
19.69.050 - Glare or heat.....	388
19.69.060 - Special standards for the I, LM, HM, and AZ zones.	388
19.69.070 - Clear-vision triangle requirements.	388

Chapter 19.60 - INTRODUCTION

Sections:

19.60.010 - Purpose.

19.60.020 - Applicability and compliance.

19.60.030 - How the provisions of this division are applied.

19.60.010 - Purpose.

This division is authorized by the City Council as a major implementation tool of the Anacortes Comprehensive Plan. Overall, this division intends to:

- A. Provide clear objectives for the planning and design of development projects in Anacortes.
- B. Preserve and protect the public health, safety, and welfare of the citizens of Anacortes.
- C. Promote and accomplish the goals, policies, and objectives of the Anacortes Comprehensive Plan.
- D. Preserve and enhance the historic resources and character of the Central Business District.
- E. Ensure that new multifamily, mixed-use, and commercial development is of high quality and appropriate to Anacortes's character and context.
- F. Promote increased pedestrian, bicycling, and transit use in commercial and multifamily areas.
- G. Enhance the livability of residential developments.
- H. Enhance the public's physical and visual access to the water.
- I. Increase awareness of design considerations among the citizens of Anacortes.
- J. Maintain and enhance property values within Anacortes.

19.60.020 - Applicability and compliance.

- A. The project design provisions in this division generally apply to all development within the city, including, but not limited to, building additions, site improvements, and new signage. However, since each chapter addresses different design and development elements, the applicability of each chapter is clarified at the beginning of the chapter.
- B. Relationship to other codes and documents. Where provisions of this division conflict with provisions in any other section of the AMC, this division prevails unless otherwise noted.
- C. For building additions, remodels, and site improvements, three different thresholds have been established to determine how the standards herein are applied to such projects. See Figure 19.60.020 for examples of site development and the respective types of improvements required under each of the three levels of improvements.
 - I. **Level I improvements** include all exterior remodels, building additions, and/or site improvements that affect the exterior appearance of the building/site and/or cumulatively increase the gross floor area on a site by up to 50-percent within three years of the date of permit issuance. The requirement for such improvements is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards.

For example, if a property owner decides to replace a building façade's siding, then the siding must meet the applicable exterior building material standards, but elements such as building articulation would not be required.

- 2. Level II improvements** include all improvements that cumulatively increase the gross floor area on a site by more than 50-percent, but not greater than 100-percent, within three years of the date of permit issuance. All standards that do not involve repositioning the building or reconfiguring site development must apply to Level II improvements.

For example, if a property owner of an existing home in the CBD zone wants to convert the home to a retail use and build an addition equaling 75-percent of the current building's footprint, then the following elements must apply:

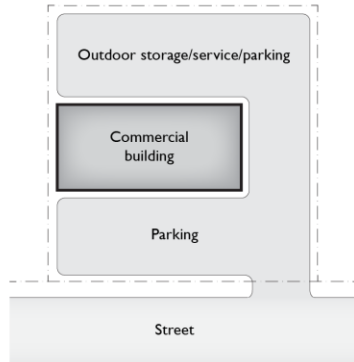
- a. The location and design of the addition/remodel must be consistent with AMC Chapter 19.61 Block Frontage Standards, which addresses building frontages, entries, parking lot location, and street setback landscaping. For such developments seeking additions to buildings where off-street parking location currently does not comply with applicable parking location standards, building additions are allowed provided they do not increase any current nonconformity and generally bring the project closer into conformance with the standards (see AMC Chapter 19.64 Parking)
- b. Comply with the standards of AMC Chapter 19.62 Site Planning.
- c. Comply with all provisions of AMC Chapter 19.63 Building Design, except architectural scale and materials provisions related to the existing portion of the building where no exterior changes are proposed. The entire building must comply with building elements/details, materials, and blank wall treatment standards.
- d. Comply with the off-street parking, landscaping, and signage, provisions of this division that relate to proposed improvements.

- 3. Level III improvements** include all improvements that cumulatively increase the gross floor area on a site by more than 100-percent within three years of the date of permit issuance. Such developments must conform to all applicable standards, except in a case where there are multiple buildings on one site, and only one building is being enlarged. In that scenario, improvements to the additional buildings are not required, but conformance with all other standards apply.

Figure 19.60.020.

Examples of improvement types and required compliance.

Existing Site

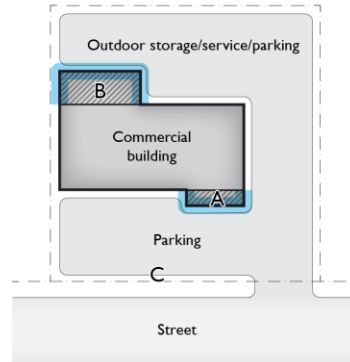


Pre-existing non-conformities:

- Parking in front of the building
- No pedestrian connection to the entry
- Doesn't meet streetscape and landscaping standards
- Facade doesn't meet standards

Level I Improvement Example

Expand existing building footprint 0-50%

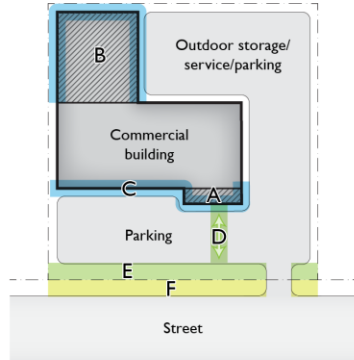


Required improvements:

- A. Entry addition meets facade and building design standards (AMC 19.63)
- B. Rear addition meets applicable building design standards (AMC 19.63)
- C. Landscaping improvements are encouraged but not required

Level II Improvement Example

Expand existing building footprint 50-100%

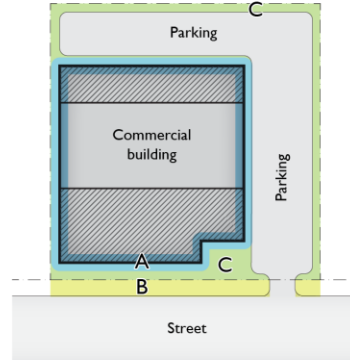


Required improvements:

- A. Entry addition meets facade and building design standards (AMC 19.63)
- B. Rear addition meets applicable building design standards (AMC 19.63)
- C. Facade upgraded to meet applicable facade and building design standards (AMC 19.63)
- D. Pedestrian access improvements (AMC 19.62.040)
- E. Parking lot landscaping improvements (AMC 19.66.060.D)
- F. Landscaping improvements are encouraged but not required

Level III Improvement Example

Expand existing building footprint >100%



Required improvements:

- A. Entire building meets facade and building design standards (AMC 19.63)
- B. Landscaping improvements are encouraged but not required
- C. Site meets site planning standards (AMC 19.62)

19.60.030 - How the provisions of this division are applied.

Most sections within the chapters herein include the following elements:

- A. Purpose statements, which are overarching objectives.
- B. Standards use words such as “must” and “is/are required,” signifying required actions.
- C. Guidelines use words such as “should” or “is/are recommended,” signifying voluntary measures.
- D. Departures are provided for specific standards. They allow alternative designs provided the reviewing authority determines the design meets the purpose of the standards and guidelines and other applicable criteria. See AMC 19.20.220 for related procedures associated with departures.
- E. This division contains some specific standards that are easily quantifiable, while others provide a level of discretion in how they are complied with. In the latter case, the applicant must demonstrate to the director, in writing, how the project meets the purpose of the standard or standards.

Chapter 19.61 - BLOCK FRONTAGE STANDARDS

Sections:

- 19.61.010 - Purpose.
- 19.61.020 - Applicability.
- 19.61.030 - How to use this chapter.
- 19.61.040 - Block frontage designation maps.
- 19.61.050 - About the transparency standards.
- 19.61.060 - Storefront block frontage standards.
- 19.61.070 - Landscaped block frontage standards.
- 19.61.080 - Mixed block frontage standards.
- 19.61.090 - Marine street standards.
- 19.61.100 - Gateway block frontage standards.
- 19.61.110 - Undesignated (streets with no designated block frontage).
- 19.61.120 - Trail block frontage standards.
- 19.61.130 - Esplanade block frontage standards.
- 19.61.140 - Central waterfront (CW) corridors and block frontage standards.
- 19.61.150 - Where properties front onto multiple streets.
- 19.61.160 - Where properties have multiple designations along one frontage.
- 19.61.170 - High visibility street corners.
- 19.61.180 - Framework development plan.

19.61.010 - Purpose.

- A. To reinforce the historic storefront character of downtown Anacortes.
- B. To enhance the pedestrian environment in commercial and multifamily areas throughout Anacortes.
- C. To minimize potential negative impacts of parking lots and garages on the streetscape.
- D. To promote good visibility between buildings and the street for security for pedestrians and to create a more welcoming and interesting streetscape.

19.61.020 - Applicability.

- A. The provisions of this chapter apply to all nonresidential and multifamily development. The following are exempt:
 - 1. All development in the I, LM, AZ, and CM2 zones.
 - 2. Development in the HM and LMI zones not abutting State Route 20 right-of-way.
 - 3. Development in the MS zone except for applicable block frontages designated Storefront, Landscaped, or Mixed as established in AMC 19.61.040.

19.61.030 - How to use this chapter.

Site orientation standards for individual properties depend on the block frontage designated for that location. The following steps will help in using this chapter:

- A. Go to the maps in AMC 19.61.040 to find the property and the block frontage type designation.
 1. For multifamily and non-residential development in residential zones, the standards for Landscaped block frontages apply.
 2. For development that fronts onto multiple streets, see provisions in AMC 19.61.150.
- B. Go to the appropriate code section in this chapter for the site orientation standards for applicable block frontage type designation. Table 19.61.030 includes a summary of key block frontage types.

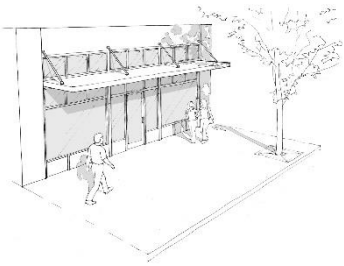
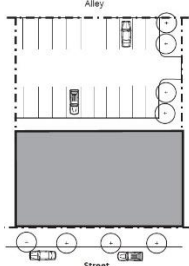
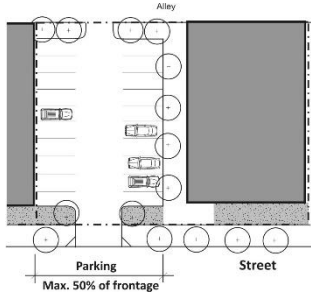
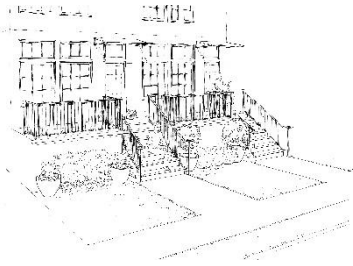
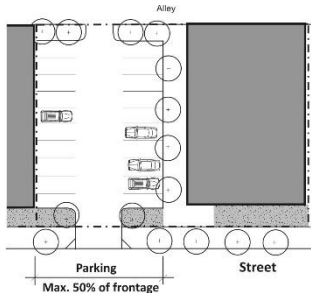
Table 19.61.030 Summary of key block frontage types.			
	Permitted Frontage	Parking Location	Details
Storefront			- No new parking adjacent to the street. - Special transparency, weather protection, and entry requirements. - Minimum commercial space height and depth. - No ground floor residential uses except lobbies for upper level units.
Mixed	↑ Storefront or Landscape Frontages allowed ↓		- Parking must be to the side or rear of buildings. For multi-building developments, no more than 50% of frontage may be parking. - Landscaping to soften façades of non-storefronts and buffer parking areas. - Minimum façade transparency requirements per use and setback.
Marine		Parking placed to the side or rear of buildings is preferred, but may be placed in front of buildings for certain uses and/or in exchange for improved public waterfront access.	- Landscaping to soften façades of non-storefronts and buffer parking areas. - Minimum façade transparency requirements per use and setback.

Table 19.61.030 Summary of key block frontage types.			
Landscape			• Parking must be to the side or rear of buildings. For multi-building developments, no more than 50% of frontage may be parking. • Landscaping to soften façades and buffer parking areas.
Undesignated	Storefront or Landscape Frontages allowed but not required	No parking lot location restrictions	• Landscaping soften façades of non-storefronts and buffer parking areas. • Minimum façade transparency requirements per use and setback.

19.61.040 - Block frontage designation maps.

- A. The block frontage designations established by this title are maintained under the direction of the director. All notations, references, and other information shown have the same force and effect as if fully described in this title.
- B. At the direction of City Council, the director is authorized to revise the block frontage designation maps. No unauthorized person may alter or modify the block frontage designation maps.
- C. The director must revise the block frontage designation maps to correspond with any changes made through an approved Framework Development Plan (see AMC 19.61.180).
- D. The department must maintain digital or printed copies of the block frontage designation maps and maintain records of superseded official maps.

Figure 19.61.040(A)
Anacortes block frontage designations maps index.

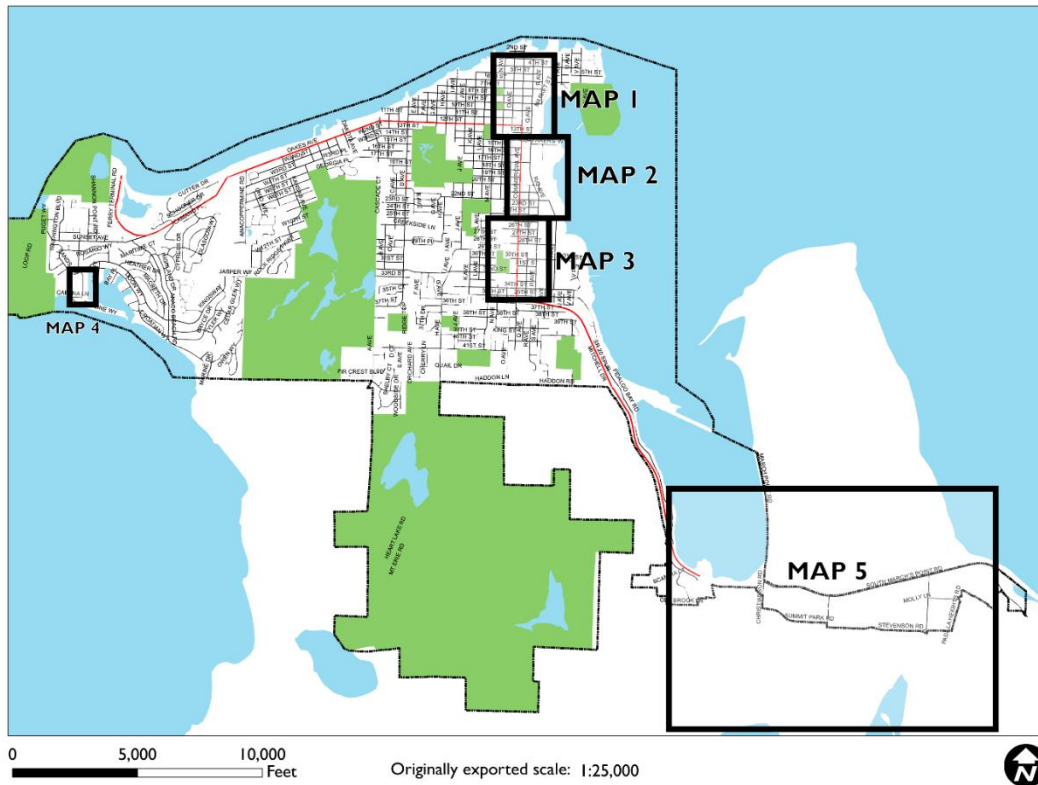


Figure 19.61.040(B)

Map I: Anacortes block frontage designations map for the downtown area.

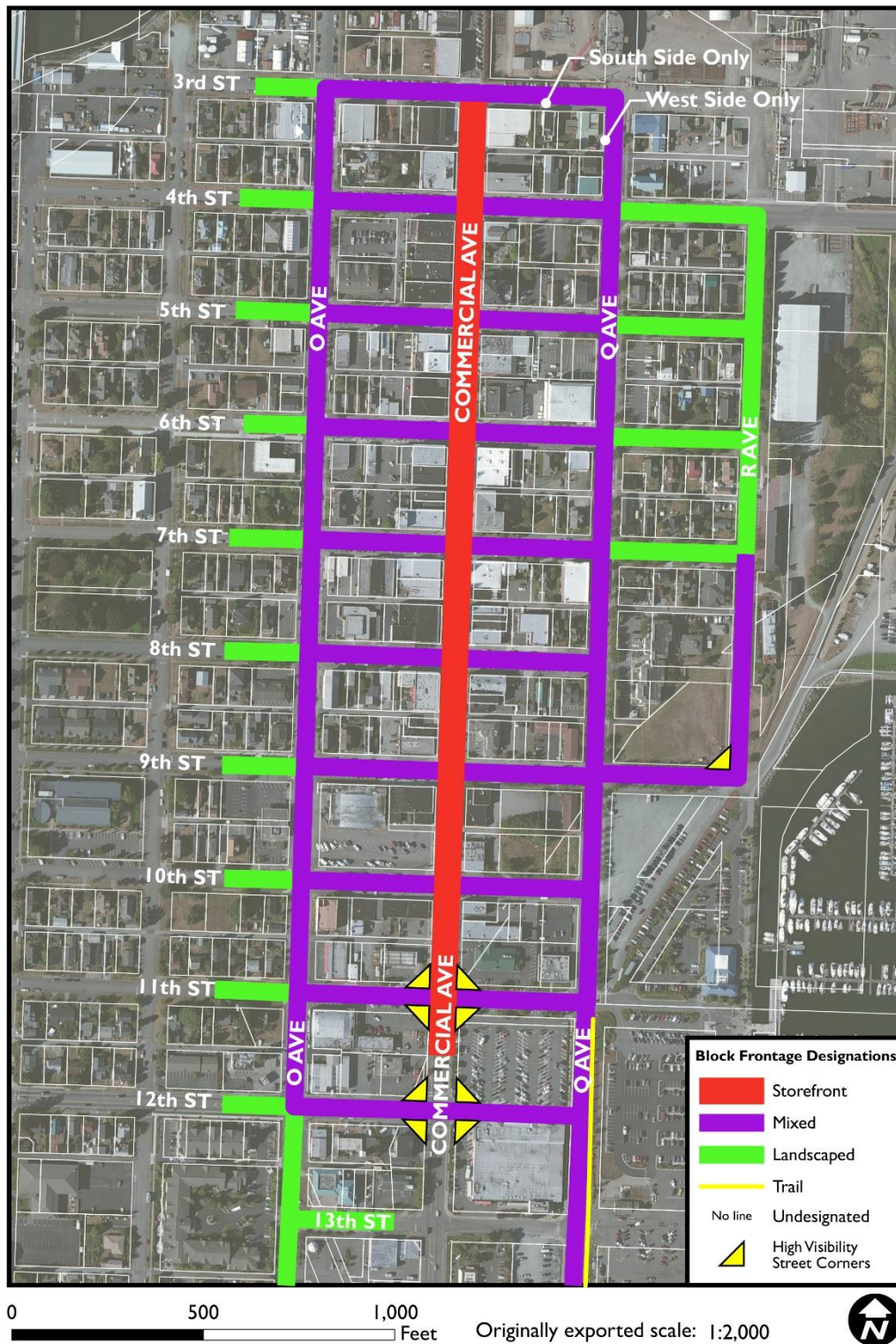


Figure 19.61.040(C)

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

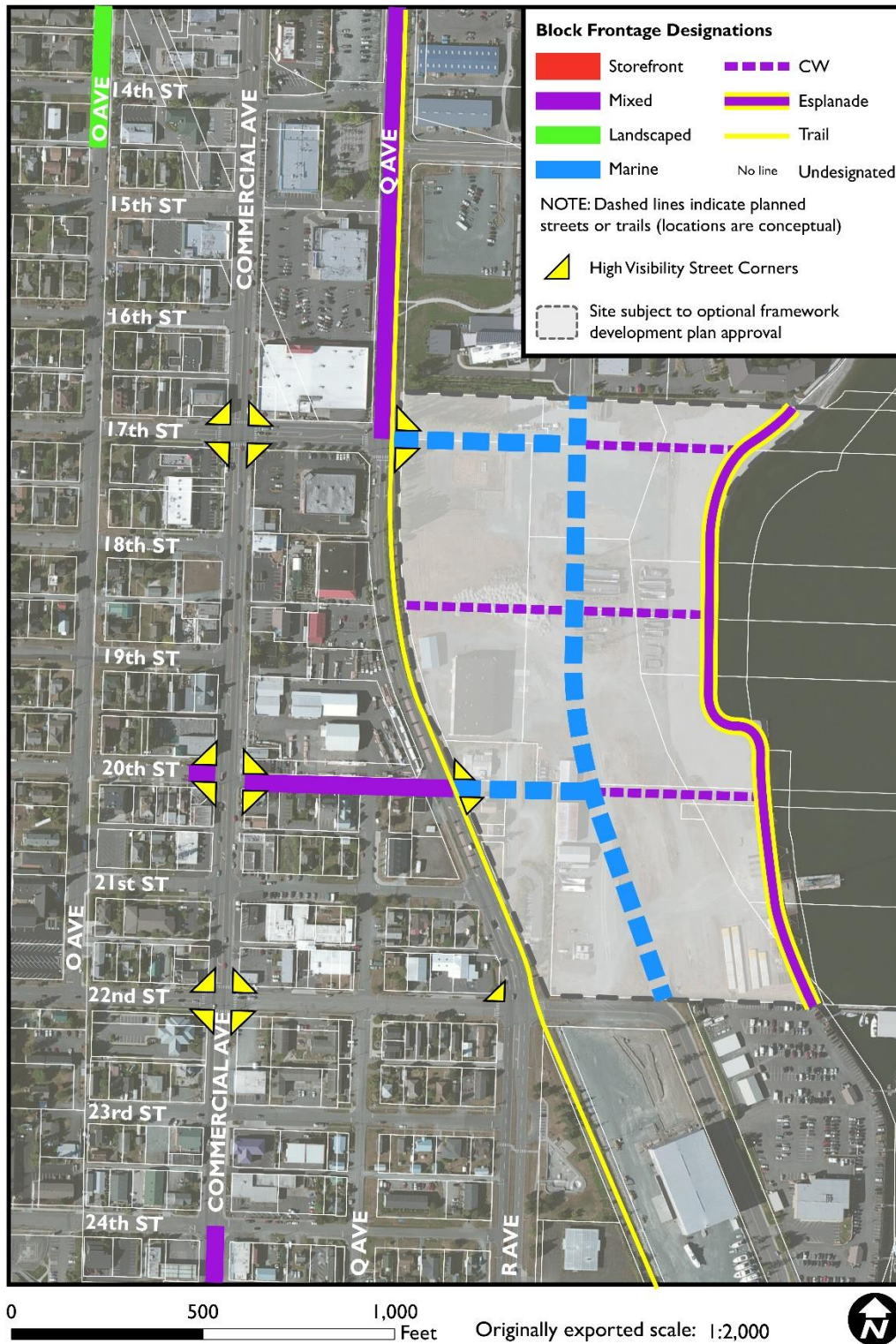


Figure 19.61.040(D)

Map 3: Block frontage designations map for the south Commercial Avenue area.

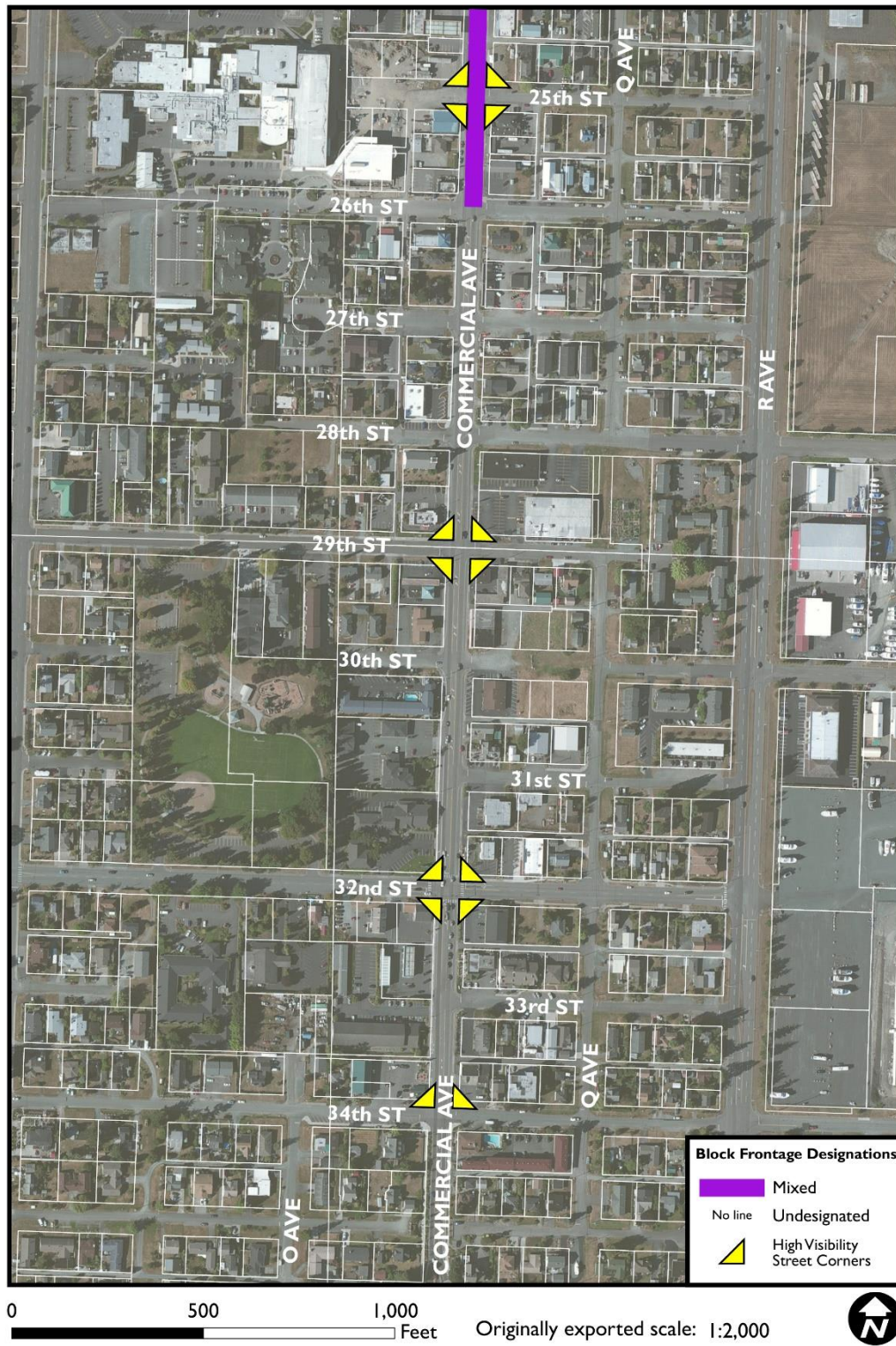


Figure I9.61.040(E)

Map 4: Block frontage designations map for the Skyline area.

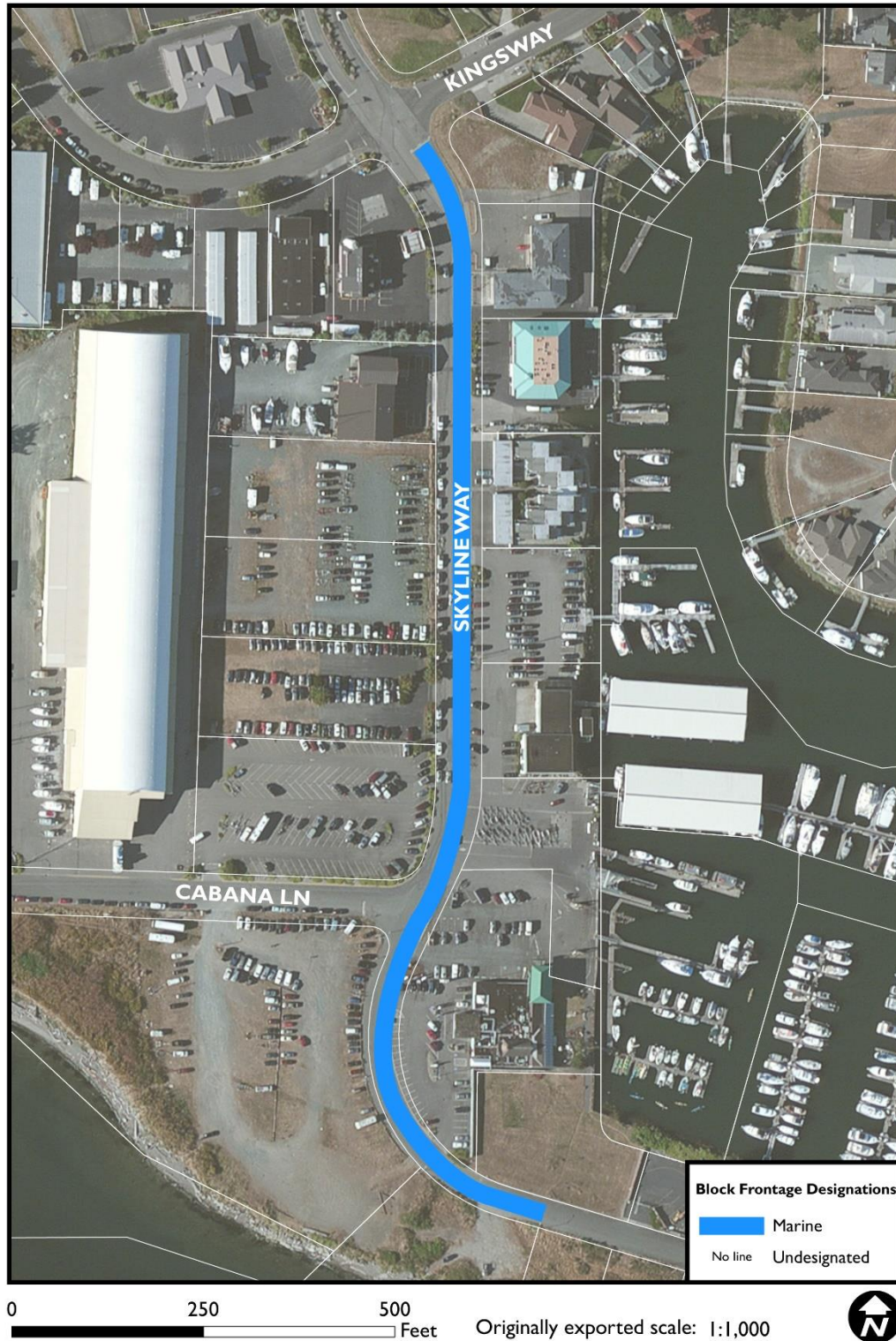
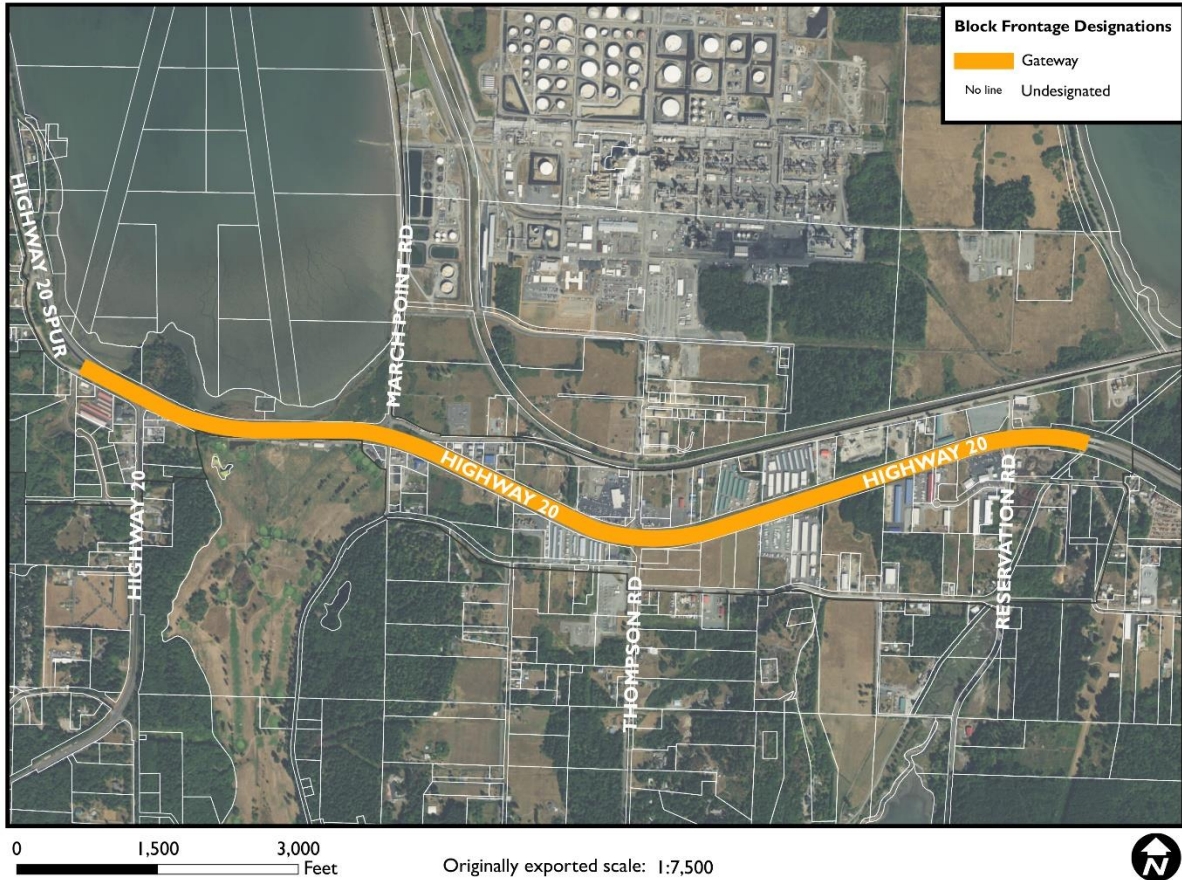


Figure 19.61.040(F)

Map 5: Block frontage designations map for the March Point area.



19.61.050 - About the transparency standards.

All block frontage designations contain distinct minimum façade transparency standards. The purposes of these standards are to maintain “eyes on the street” for safety and create welcoming pedestrian environment. Table 19.61.050 below includes details in how they are measured.

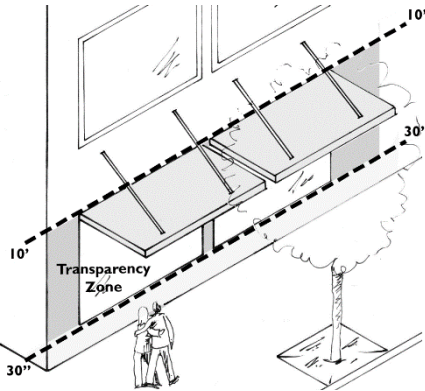
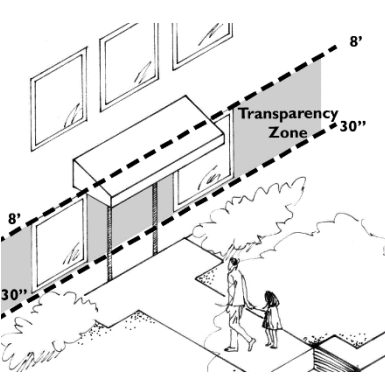
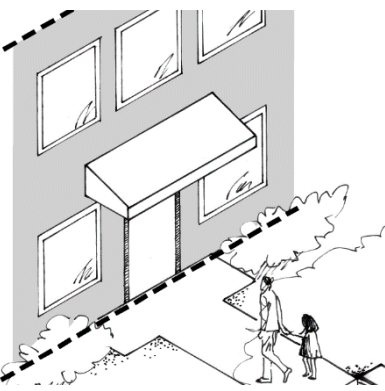
Table 19.61.050 Clarification of transparency standards		
Transparency zones		
Storefront  The transparency zone is on the ground floor between 30" and 10' above sidewalk grade	Ground floor non-residential and non-storefront  The transparency zone is between 30" and 8' above grade	Residential buildings and residential portions of mixed-use buildings  All vertical surfaces of the façade are used in the calculations
Other Transparency Provisions		
Windows must be transparent Ground level window area for storefronts and other non-residential uses that is covered, frosted, or perforated in any manner that obscures visibility into the building must not count as transparent window area. Exception: Window signs conforming with AMC 19.67.090(D) may be counted as transparent window area provided the areas generally around the sign are transparent.		

Table 19.61.050
Clarification of transparency standards

Display windows

Display windows may be used for up to 50% of non-residential transparency requirements provided they are at least 30" deep to allow changeable displays and the interior wall is non-structural so it can be removed if the windows are not used for display. Tack-on display cases as shown in the far right example do not qualify as transparent window area.



Integrated display windows



Tack-on display cases

Other Transparency Provisions

Structured parking facilities

Where structured parking facilities occupy a portion of the façade, any openings simulating windows may be used to help comply with transparency requirements.



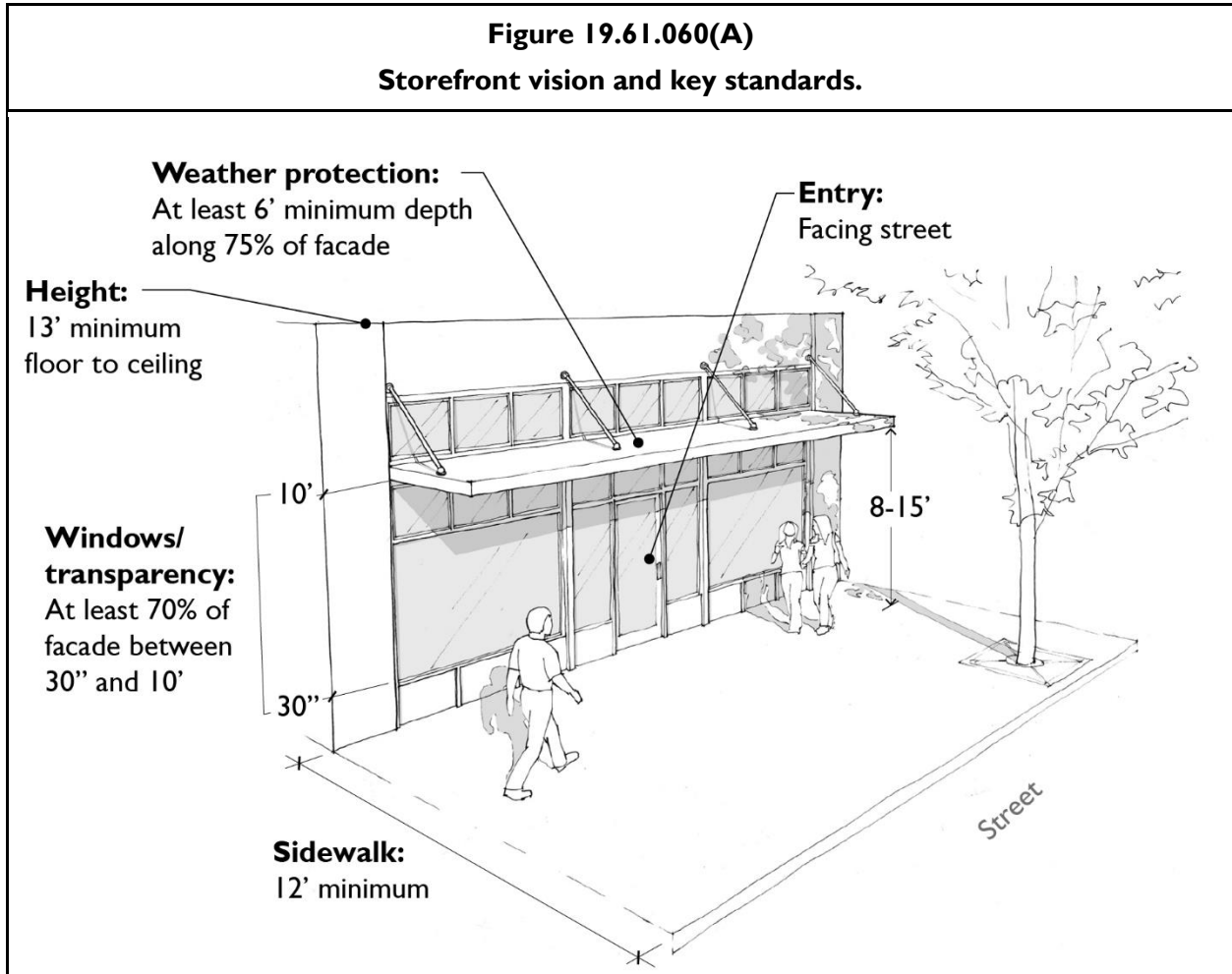
Parking garage with windows



Parking garage without windows

19.61.060 - Storefront block frontage standards.

- A. Purpose.** Storefront block frontages are the most vibrant and active shopping and dining areas within Anacortes. Blocks designated as Storefront block frontages include continuous storefronts placed along the sidewalk edge with small scale shops and many business entries.



B. Standards. All development on sites with a Storefront block frontage designation must comply with the standards in Table 19.61.060(B) below:

Table 19.61.060(B) Storefront block frontage standards.		
The ➞ symbol refers to DEPARTURE opportunities in AMC 19.61.060(C) below.		
Element	Standards	Examples and Notes
Ground level		
Land use	Non-residential uses specified in Table 19.41.050 are required except for lobbies associated with residential or hotel/motel uses on upper floors.	
Floor to ceiling height	13' minimum (applies to new buildings only)	
Retail space depth	50' minimum on Commercial Avenue in the CBD zone and 20' minimum elsewhere (applies to new buildings only) ➞	
Building placement	Buildings must be placed at the street property line/back edge of the sidewalk. Additional setbacks are allowed for a widened sidewalk or pedestrian-oriented space [AMC 19.62.040(D)].	 Corner building example
Building entrances	Primary building entrances must face the street. For corner buildings, primary entrances may face the street corner.	
Façade transparency (see AMC 19.61.050)	At least 70% of the transparency zone. ➞	
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. ➞ Weather protection must not interfere with street trees, street lights, street signs, or extend beyond the edge of the sidewalk.	

Table 19.61.060(B) Storefront block frontage standards.		
The ➡ symbol refers to DEPARTURE opportunities in AMC 19.61.060(C) below.		
Element	Standards	Examples and Notes
Parking location and vehicle access	New surface parking adjacent to the street is prohibited. ➡ Vehicular access for surface or structured parking from a storefront street is prohibited if there is access available from another street or alley. ➡	
Sidewalk width	12' minimum between the curb edge and the storefront façade (including clear/buffer zone with street trees). ➡ Setbacks and utility easements must also be considered and may result in a larger minimum sidewalk width.	

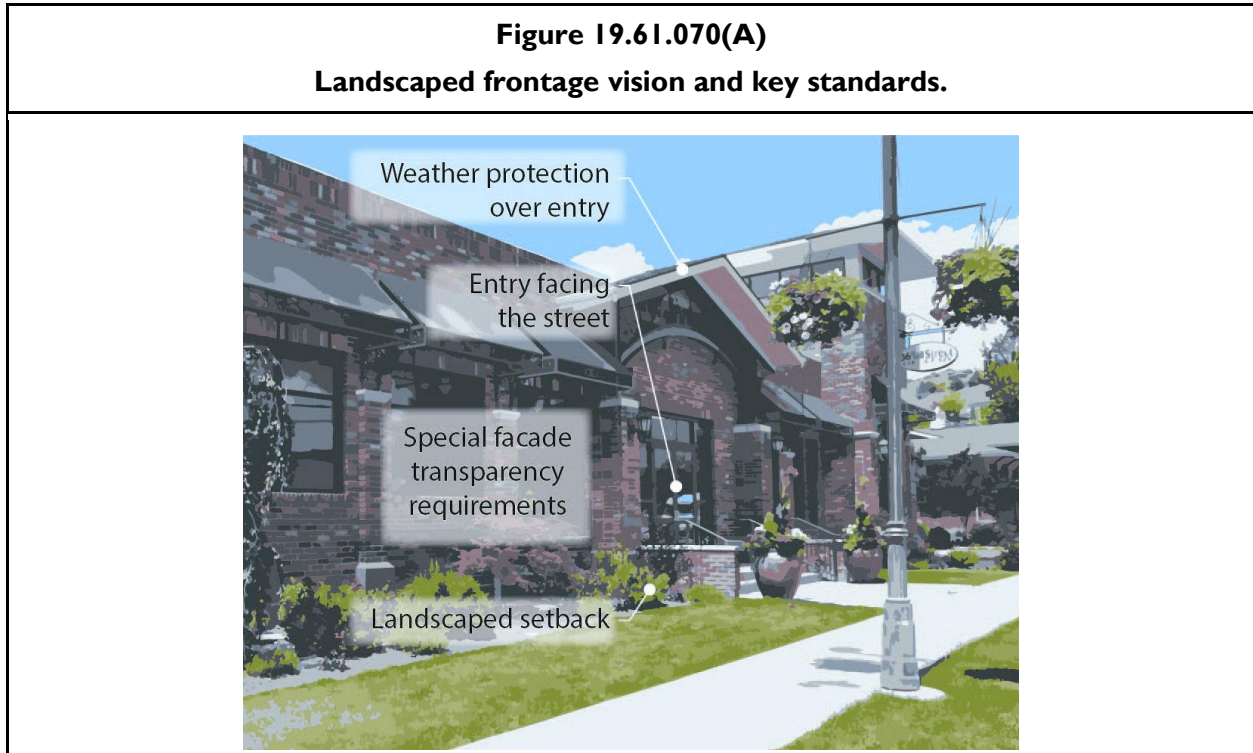
C. DEPARTURE criteria. Departures from the standards in Table 19.61.060(B) that feature the ➡ symbol will be considered per AMC 19.20.220 provided the alternative proposal meets the purpose of the standards and the following criteria:

1. Retail space depth. Departures from this standard are not allowed in the CBD zone. Elsewhere, 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.
2. Façade transparency. 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.
3. Weather protection. Other proposed alternative design treatments must provide equivalent weather protection benefits.
4. Parking location. Departures from this standard are not allowed in the CBD zone. Elsewhere, 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.

5. Sidewalk width. 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.

19.61.070 - Landscaped block frontage standards.

- A. Purpose.** Landscaped block frontages emphasize landscaped street setbacks, clear pedestrian connections between the building and the sidewalk, and minimized surface parking lots along the frontages.



- B. Standards.** All development on sites containing a landscaped block frontage designation must comply with the standards in Table 19.61.070(B) below. The standards herein also apply to all multifamily residential development in residential districts:

Table 19.61.070(B) Landscaped block frontage standards.		
The ➞ symbol refers to DEPARTURE opportunities in AMC 19.61.070(C) below.		
Element	Standards	Examples and Notes
Ground level		
Land use	See uses specified in 19.42.030.	
Building placement	10' minimum setbacks are required, or greater where specified for the applicable zone in AMC Chapter 19.41 Form and Intensity Standards.	
Building entrances	At least one building entry must be visible from the sidewalk. ➞	

Table 19.61.070(B)
Landscaped block frontage standards.

The ➡ symbol refers to DEPARTURE opportunities in AMC 19.61.070(C) below.

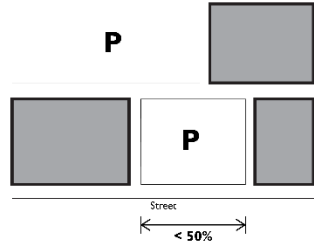
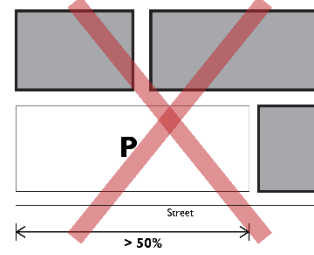
Element	Standards	Examples and Notes
Façade transparency (see AMC 19.61.050)	For buildings with ground level non-residential uses, at least 25% of the transparency zone. ➡ For buildings with ground level residential uses, at least 15% of the transparency zone. ➡	
Weather protection	Weather protection at least three-feet deep must be provided over all primary entries.	Landscaped frontage example meeting setback, entry, weather protection, and transparency standards.
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. ➡ Vehicular access must comply with the provisions of AMC 19.53.030. Any parking lots developed adjacent to the street must comply with landscaping provisions of AMC 19.65.070.	ACCEPTABLE 50% OR LESS PARKING IN FRONT  NO MORE THAN 50% PARKING IN FRONT 
Landscaping	All areas between the sidewalk and the building must be landscaped, except for pathways, porches, decks, and other areas meeting the definition of pedestrian-oriented space (AMC 19.63.030(D)). Landscaped areas must contain Types B, C, or D Landscaping (as defined in AMC 19.65.060) and may incorporate rain	

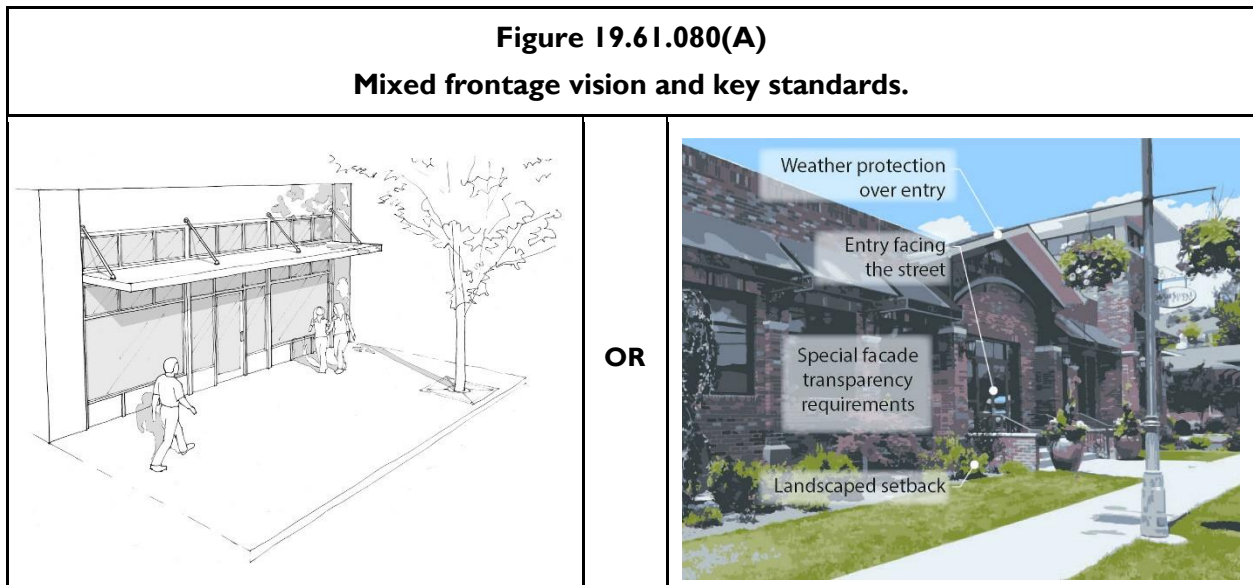
Table 19.61.070(B) Landscaped block frontage standards.		
The ➡ symbol refers to DEPARTURE opportunities in AMC 19.61.070(C) below.		
Element	Standards	Examples and Notes
	gardens and other forms of stormwater management. See AMC Chapter 19.65 for other landscaping standards.	
Sidewalk width	See AMC 19.52.040 for applicable sidewalk widths.	

C. DEPARTURE criteria. Departures to the landscaped block frontage standards in Table 19.61.070(B) that feature the ➡ symbol will be considered per AMC 19.20.220 provided the alternative proposal meets the purpose of the standards and the following criteria:

1. Building entrances: 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).
2. Façade transparency: 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.
3. Parking location: 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.

19.61.080 - Mixed block frontage standards.

- A. Purpose.** Mixed block frontages allow for general flexibility where either a Storefront orientation or a Landscaped orientation in a pedestrian-friendly configuration could be developed.



- B. Standards.** Development must conform to either Storefront or Landscaped block frontage standards and associated departure options and departure criteria as established above, with only the following modifications in Table 19.61.080(B) below:

Table 19.61.080(B) Mixed block frontage standards.		
The ➡ symbol refers to DEPARTURE opportunities in AMC 19.61.080(C) below.		
Element	Standards	Examples and Notes
Building placement	Buildings may be placed up to the sidewalk edge provided they meet Storefront block frontage standards in AMC 19.61.060 (this includes standards for ground level, building placement, building entrances, façade transparency, and weather protection elements). 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. ➡	

Table 19.61.080(B) Mixed block frontage standards.		
The ➞ symbol refers to DEPARTURE opportunities in AMC 19.61.080(C) below.		
Element	Standards	Examples and Notes
Façade transparency (see AMC 19.61.050)	Storefront buildings are subject to Storefront block frontage transparency standards above. For other building frontages, transparent windows must be provided along at least 15% of the building façade, 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. ➞	 This office building (within 10' of sidewalk) would need at least 40% transparency within the 30" to 8' transparency zone.

C. DEPARTURE criteria. Departures to the mixed block frontage standards in Table 19.61.080(B) that feature the ➞ symbol will be considered per AMC 19.20.220 provided the alternative proposal meets the purpose of the standards and the following criteria:

1. **Building placement:** 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 or retaining wall, and/or hedge along the sidewalk may provide an effective transition [see Figure 19.61.080(C) for examples].
2. **Façade transparency:** 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.

Figure 19.61.080(C)
Acceptable examples of possible setback departures.



The landscaped and stoop frontages above are possible departure examples with reduced setbacks for non-storefront façades. The combination of landscaping elements, façade transparency, low fencing, and façade materials and detailing help to create an effective transition between the public and private realm.

19.61.090 - Marine street standards.

- A. Purpose.** Marine block frontages allow for general flexibility where either a Storefront orientation or a Landscaped orientation similar to the mixed block frontage designation, could be developed. However, the marine designation offer greater flexibility in building and parking lot configuration based on the site's context and proposed use via departure.
- B. Standards.** Development must conform to either Storefront or Landscaped block frontage standards, with only the following modifications in Table 19.61.090(B) below:

Table 19.61.090(B) Marine block frontage standards.		
The ➞ symbol refers to DEPARTURE opportunities in AMC 19.61.090(C) below.		
Element	Standards	Examples and Notes
Building placement	Buildings may be placed up to the sidewalk edge provided they meet Storefront block frontage standards in AMC 19.61.060 (this includes standards for ground level, building placement, building entrances, façade transparency, and weather protection elements). 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. ➞	 Storefront example.
Façade transparency	Storefront buildings are subject to Storefront block frontage transparency standards above. For other building frontages, transparent windows must be provided along at least 15% of the façade, 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. ➞	 Generous ground level transparency example with modest landscaped setback.
Parking location and vehicle access	Developments are subject to Storefront or Landscaped block frontage parking location standards depending on the chosen frontage type. ➞ Vehicular access must comply with the provisions of AMC 19.53.030.	The unique nature of these marine-oriented sites and uses often require some flexibility in building and parking area locations.

C. DEPARTURE criteria. Departures to the marine block frontage standards in Table 19.61.090(B) that feature the ➡ symbol will be considered per AMC 19.20.220 provided the alternative proposal meets the purpose of the standards and the following criteria:

1. Building placement: 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 or retaining wall and/or hedge along the sidewalk may provide an effective transition [see Figure 19.61.080(C) for examples].
2. Façade transparency: 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.
3. Parking location: 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.

19.61.100 - Gateway block frontage standards.

- A. Purpose.** Gateway block frontage designations serve strategic areas along properties fronted by State Route 20 where there is a desire to provide attractive landscaped development frontages.
- B. Standards.** All development on sites containing a gateway block frontage designation must comply with the standards in Table 19.61.070(B) below:

Table 19.61.100(B) Gateway block frontage standards.	
The ➞ symbol refers to DEPARTURE opportunities in AMC 19.61.100(C) below.	
Element	Standards
Building placement	10' minimum street setbacks for buildings complying with façade transparency standards; 25' for all other buildings.
Façade transparency (see AMC 19.61.050)	For all buildings with less than 25' setback, transparent window area must be provided along at least 15% of the façade of the building. Marijuana uses and adult concession uses are exempt from this requirement. ➞
Parking and outdoor storage location	Parking lots and outdoor storage areas must be setback at least ten-feet from the gateway block frontage property line and screened with Type-A, B, or C Landscaping as defined in AMC 19.65.060. Any parking lots developed adjacent to the street must comply with landscaping provisions of AMC 19.65.070.
Landscaping	All areas between the property line and any building, parking, or storage area must be landscaped, except for pathways, porches, decks, and other areas meeting the definition of pedestrian-oriented space [AMC 19.63.030(D)].
Fencing	Landscaped screening is required (➞) for chain link and other similar metal fencing and opaque fences: - For fences less than 4-1/2' tall, at least 5' of Type-A, B, or C Landscaping (see AMC 19.65.060) is required in front of the fence. - For fences 4-1/2' or taller, at least 10' of Type-A or B Landscaping (see AMC 19.65.060) is required in front of the fence. No landscape screening is required for split rail or similar low decorative fencing, or a decorative wall (brick, stone, or similar) up to 4-1/2' tall.
 Gateway frontage example with split rail fence, landscaping (shrubs behind fence) and façade meeting the modest transparency standards.	

C. DEPARTURE criteria. Departures to the landscaped block frontage standards in Table 19.61.100(B) that feature the ☞ symbol will be considered per AMC 19.20.220 provided the alternative proposal meets the purpose of the standards and the following criteria:

1. Façade transparency: 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.
2. Fence screening: 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.

19.61.110 - Undesignated (streets with no designated block frontage).

A. Purpose. Undesignated block frontages should provide visual interest at all observable scales and meet the design objectives of the city.

B. Applicability. All Undesignated block frontages in non-residential zones that are not designated **are subject to the standards of this section.** **These block frontages are** provided greater flexibility with regards to the design of multifamily and commercial development frontages.

These block frontages includes a combination of side streets (where most uses often front on other adjacent streets) and service oriented streets (often characterized by industrial or service types of uses), and heavy arterial streets. While there is greater flexibility in the amount of transparency of façades and the location of surface and structured parking, design parameters are included to ensure that landscaping and other design elements help to mitigate the potential impacts of parking lots and blank walls along these streets.

DEPARTURES will be considered pursuant to AMC 19.20.220.

C. Standards.

Undesignated block frontages must comply with the standards in Table 19.61.110(C) below.

Table 19.61.110(C) Undesignated block frontage standards.	
The ➞ symbol refers to DEPARTURE opportunities in AMC 19.61.110(D) below.	
Element	Standards
Building placement	Where allowed in the applicable zone (see AMC 19.42.030), buildings may be placed up to the sidewalk edge provided they meet Storefront block standards in AMC 19.61.060 (this includes standards for ground level, building placement, building entrances, façade transparency, and weather protection elements). Otherwise, 10' minimum street setback except where greater setbacks are required by the zone (see AMC Chapter 19.42 Form and Intensity Standards).
Building entrances	Building entrances facing the street are encouraged. At a minimum, at least one building entry visible and directly accessible from the street is required. Where buildings are setback from the street, pedestrian connections are required from the sidewalk.
Façade transparency (see AMC 19.61.050)	• For Storefront buildings, see AMC 19.52.060(B) for transparency standards. • For other buildings within 10' of sidewalk, at least 30% of the transparency zone. ➞ • For buildings setback more than 10' from the sidewalk, at least 10% of the entire façade must be transparent. ➞
Weather protection	At least 3' deep over primary business and residential entries.
Parking location and vehicle access	There are no parking lot location restrictions, except for required landscaping buffers in AMC 19.65.070.
Landscaping	• The area between the street and any non-storefront building must be landscaped and/or private porch or patio space. • For setbacks adjacent to buildings with windows, provide low level landscaping that maintains views between the building and the street.

Table 19.61.110(C) Undesignated block frontage standards.	
The ➡ symbol refers to DEPARTURE opportunities in AMC 19.61.110(D) below.	
Element	Standards
	• See AMC Chapter 19.65 for other landscaping standards.
Sidewalk width	Where Storefront buildings are proposed, sidewalks must meet Storefront block frontage standards in AMC 19.61.060. Otherwise, see AMC 19.52.040 Street geometric design and streetscapes for applicable sidewalk widths.

D. DEPARTURE criteria. Departures to the Undesignated block frontage standards in Table 19.61.110(C) that feature the ➡ symbol will be considered per AMC 19.20.220 provided the alternative proposal meets the purpose of the standards and the following criteria:

- I. Façade transparency: 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.

19.61.120 - Trail block frontage standards.

Trails referenced in the block frontage designation maps in AMC 19.61.040 aligned adjacent to a street are subject to the applicable block frontage designation for the street. For trails referenced in the block frontage designation maps in AMC 19.61.040 that are not adjacent to streets, developments fronting such trails must comply with the Undesignated block frontage standards in AMC 19.61.110.

Exception: Developments in the CM2, HM, and I zones are exempt from the building entrance and transparency standards.

19.61.130 - Esplanade block frontage standards.

A. Purpose. Esplanade block frontages emphasize lively waterfront spaces that feature a combination of commercial storefronts and attractive landscaped frontages that orient towards the water.

B. Standards. Esplanade block frontages are subject to the mixed block frontage standards in AMC 19.61.080.

19.61.140 - Central waterfront (CW) corridors and block frontage standards.

- A. Purpose.** These corridors are intended to enhance pedestrian access in the area and strengthen the physical and visual connection to the water.
- B. Standards.** The CW corridors must be at least 20-feet wide and are subject to the mixed block frontage standards in AMC 19.61.080. Where buildings employ the Landscaped block frontage design, the minimum building setbacks may be reduced provided the design meets the purposes of the standards and all other applicable design standards.

19.61.150 - Where properties front onto multiple streets.

Where a property fronts onto more than one street, each building frontage must comply with the standards for the block frontage upon which it fronts, with the following clarifications:

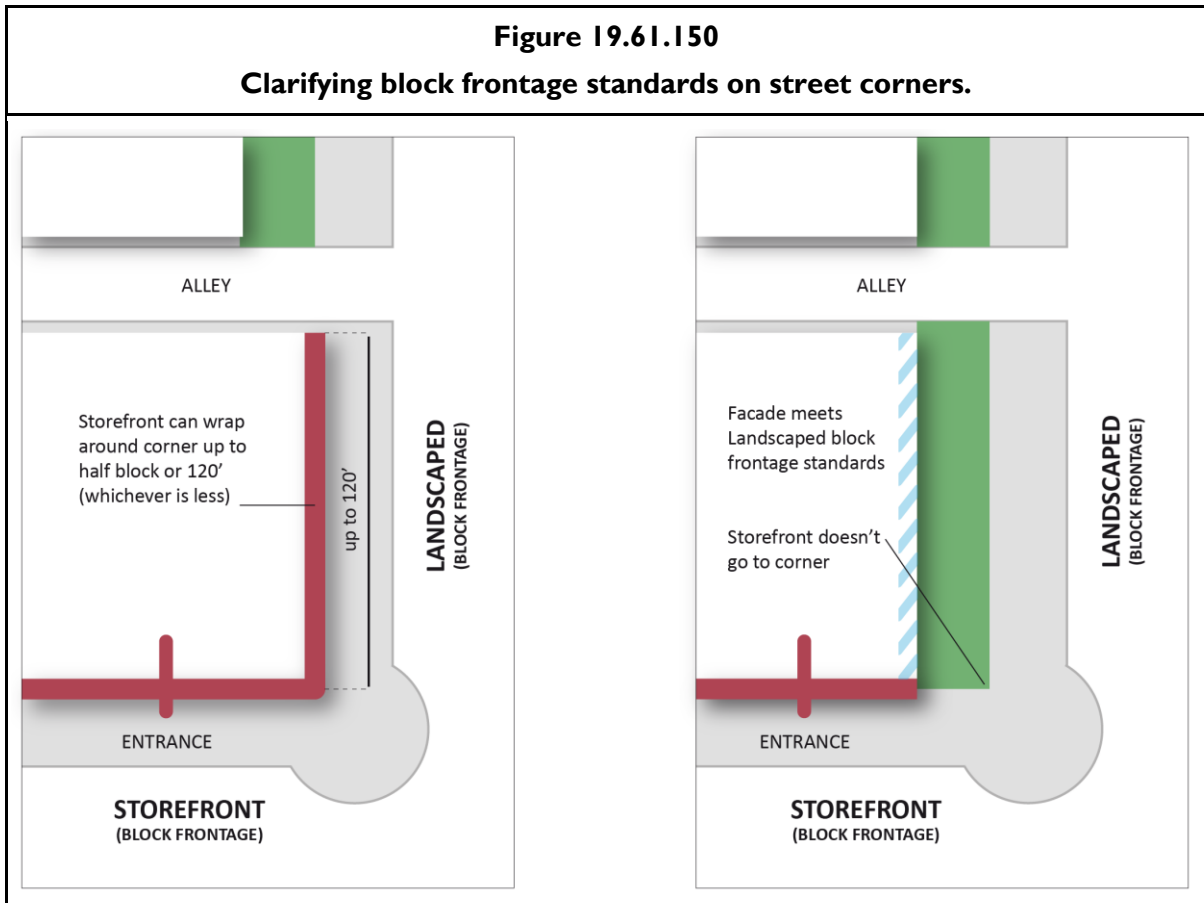
- A.** Where a conflict exists between frontage standards, the director will apply the standards of a block frontage pursuant to the following order of preference:
1. Storefront;
 2. Mixed;
 3. Landscaped; then
 4. Undesignated.

Subsections (B) through (E) below clarify how the order of preference works for particular frontage elements.

- B. Building Location:** For corner sites with landscaped block frontage on one street and storefront or mixed on another, a storefront frontage may wrap around the corner (on the landscaped block frontage side) for up to a half block width or no more than 120-feet (whichever is more).
- C. 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 identified above.

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.

- D. Transparency:** For corner sites - at least one block frontage must meet the applicable transparency standards (based on the order of preference above). For the second block frontage, the director may approve a reduction in the minimum amount of transparency by 50-percent. For street corners with the same designations on both frontages, buildings must employ the full transparency on the dominant frontage (based on the frontage width or established neighborhood pattern).
- E. Parking:** Surface parking (including ground floor parking in a structure) adjacent to a street corner is not allowed, except:
1. Corner lots with Undesignated frontages on both streets;
 2. Other combination of block frontages, except those with a Storefront block frontage designation, via a DEPARTURE and subject to the applicable departure criteria.



19.61.160 - Where properties have multiple designations along one frontage.

Where an individual property has a frontage with multiple block frontage designations, the following standards apply:

- A. Storefront and any other block frontage designation: Storefront block frontage designation applies.
- B. Mixed and Landscaped block frontage designation: Mixed block frontage designation applies.
- C. Landscaped and Undesignated block frontage designation: Landscaped block frontage designation applies.

19.61.170 - High visibility street corners.

- A. Description/purpose.** The high visibility street corner requirements apply to those sites designated as such on the community design framework maps in AMC 19.61.040. The purpose is to accentuate designated street corners with high visibility to the public.
- B. Standards.** Sites located on high visibility street corners must meet the following requirements:
1. The maximum building setback from the street corner (measured from the right-of-way edge at the corner) is 20-feet, except where a corner plaza [meeting the pedestrian-oriented space provisions of AMC 19.62.040(D)] or other decorative landscaping design meets the purpose of the standards.
 2. At least one of the following special features must be included (Figure 16.61.160 below illustrates acceptable examples):
 - a. Corner plaza.
 - b. Cropped building corner with a special entry feature.
 - c. Decorative use of building materials at the corner.
 - d. Distinctive façade articulation.
 - e. Sculptural architectural element.
 - f. Other decorative elements that meet the purpose of the standards.

Figure 19.61.170
Acceptable high visibility street corner examples.



Building 1 includes a corner tower. Building 2 features cropped building corners with decorative elements. Building 3 uses a decorative canopy. Building 4 uses a change in building materials and façade articulation at the corner. Building 5 incorporates a plaza at the corner. Image 6 shows a decorative landscaped area with a trellis and neighborhood gateway sign.

19.61.180 - Framework development plan.

Recently annexed or rezoned industrial or mixed-use properties along with strategic large sites necessitate a different approach to applying block frontage standards. The provisions below identify the purpose, applicable sites, block frontage designation options, and special standards for developing framework development plans.

A. Purpose.

1. To provide thoughtful and fair process to plan for the development of large and new commercial and mixed-use sites in Anacortes consistent with the goals and policies of the comprehensive plan.
2. To promote the arrangement of streets, buildings, open space, parking and service areas that creates a strong sense of community and enhances the character of Anacortes.
3. To avoid uncoordinated patterns of development that waste valuable land, compromise vehicular and pedestrian access, and degrade the character of Anacortes.

B. Applicable sites.

1. Sites shown in Figure 19.61.040(C).
2. Recently annexed sites zoned as one of the mixed-use or industrial zones that are not addressed in the block frontage maps in this chapter.
3. Sites recently rezoned to a mixed-use or industrial zone that are not addressed in the block frontage maps in this chapter.

C. Block frontage designations standards and options.

1. Prior to site development of applicable sites, a framework development plan must be developed, approved and recorded for the property per the procedures in AMC 19.20.030 and 19.20.230. The plan must include:
 - a. New streets and internal roadways along with block frontage designations (types included in this section).
 - b. Any designated high visibility street corners.
2. Framework development plans may utilize any existing block frontage designations within or bordering the site, or include an alternative block frontage designation type or types, subject to master plan approval.
3. Alternatively, site plan development may occur on applicable sites without an approved and recorded framework development plan provided all block frontages comply with the standards for Mixed block frontages in AMC 19.61.080.

D. Approval criteria. See AMC 19.20.230(F).

Chapter 19.62 - SITE PLANNING

Sections:

19.62.010 - Purpose.

19.62.020 - Applicability.

19.62.030 - Relationship to adjacent properties.

19.62.040 - Internal open space.

19.62.050 - Internal pedestrian access and design.

19.62.060 - Vehicular circulation and parking.

19.62.070 - Service areas and mechanical equipment.

19.62.010 - Purpose.

- A. To promote thoughtful layout of buildings, parking areas, and circulation, service, landscaping, and amenity elements.
- B. Enhance Anacortes's visual character.
- C. Promote compatibility between developments and uses.
- D. Enhance the function of developments.
- E. Meet stormwater infiltration requirements when feasible.

19.62.020 - Applicability.

- A. The provisions of this division apply to all non-residential and multifamily development. The following are exempt:
 - 1. All development in the I, LM, AZ, CM2, and MS zones.
 - 2. Developments in the HM and LMI zones when not abutting State Route 20 right-of-way.
- B. For clarification on the relationship between the provisions in this division and other documents and codes, see AMC 19.60.020(B).
- C. For the application of building additions and remodels and site improvements, see AMC 19.60.020(C).
- D. For clarification on how the provisions of this division are applied, see AMC 19.60.030.

19.62.030 - Relationship to adjacent properties.

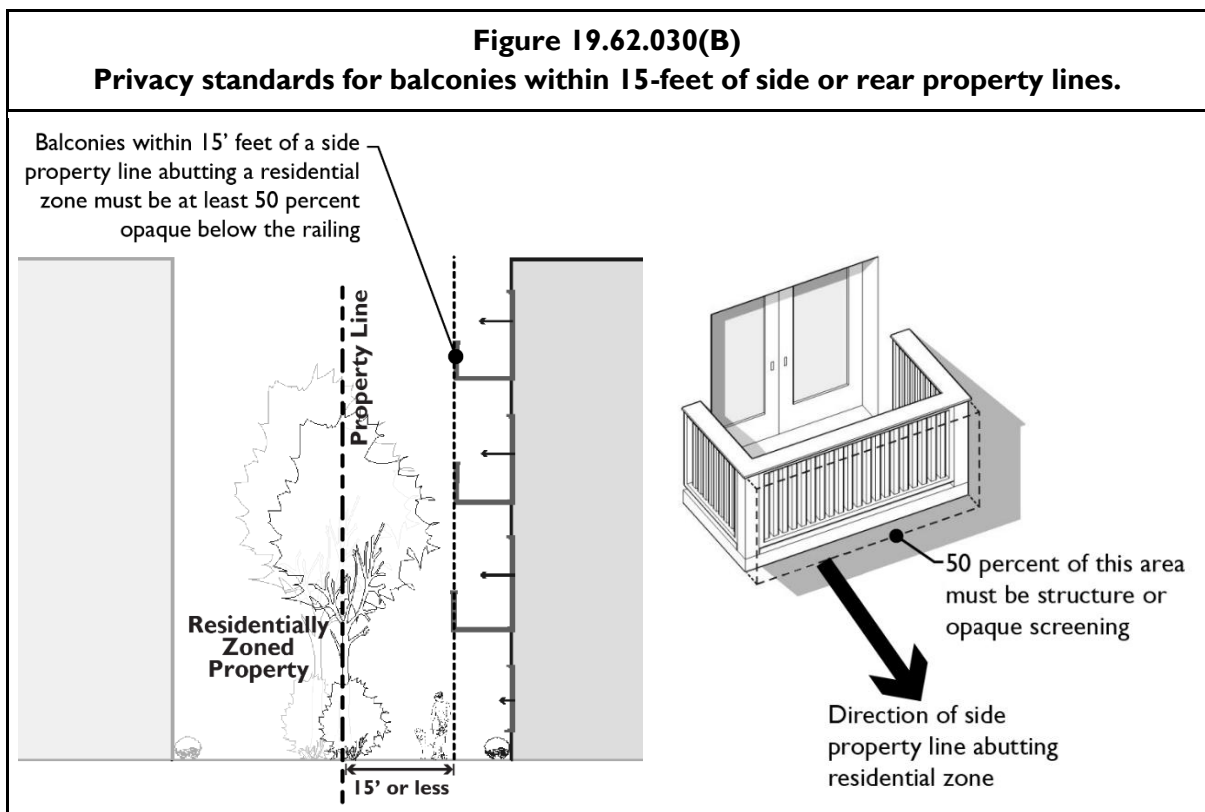
A. Purpose.

1. To promote the functional and visual compatibility between developments.
2. To protect the privacy of residents on adjacent properties.

B. Balconies near side and rear property lines adjacent to property in any residential zone.

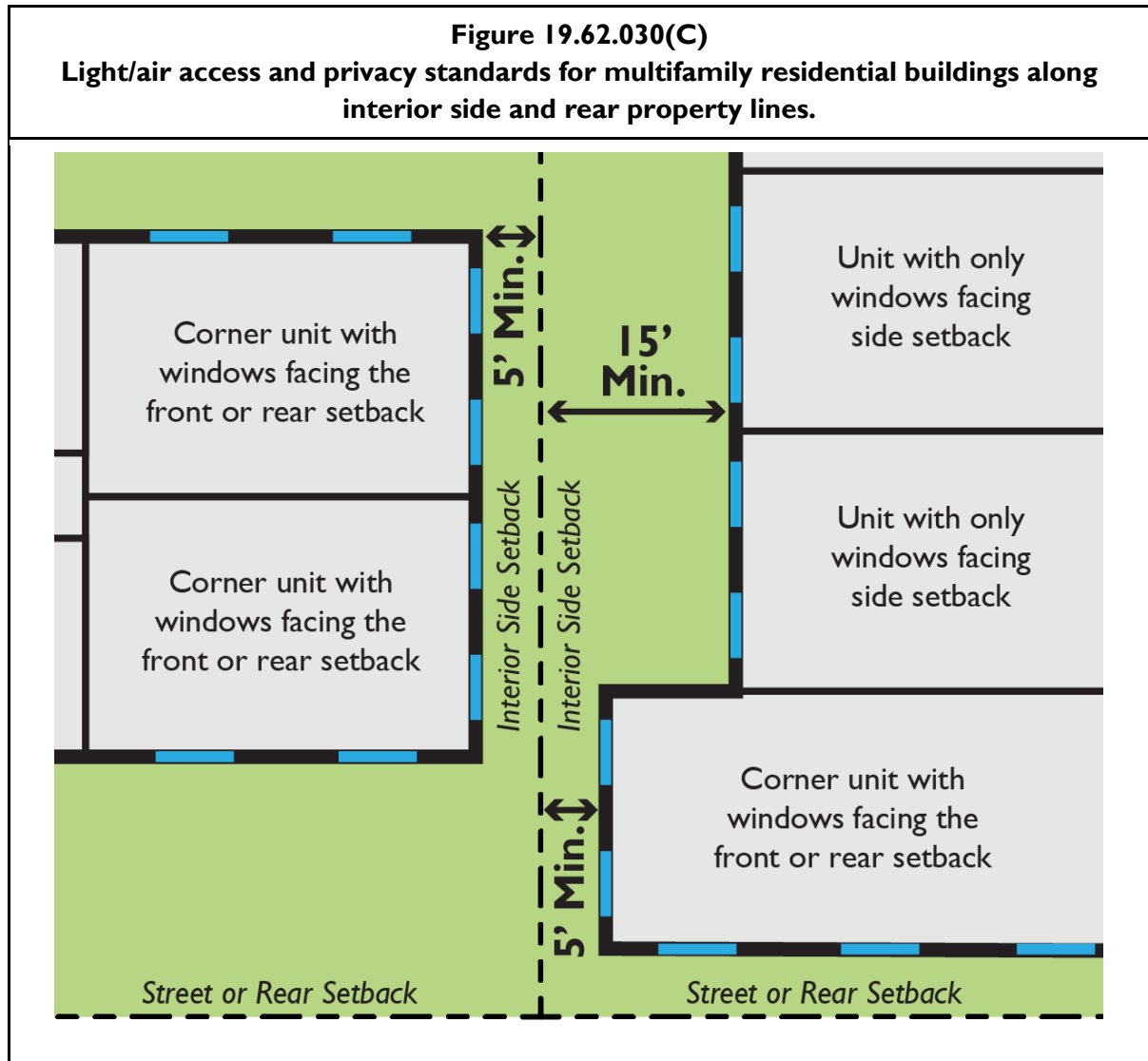
Balconies and rooftop decks above the ground floor within 15 horizontal-feet of a side property line abutting a residentially zoned property must feature a railing system that is at least 50-percent opaque. Specifically, 50-percent of the area below the top edge of the railing must be a sight-obscuring 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.



- C. Light and air access and privacy near interior 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 interior side property line) must be set back from the applicable interior side or rear property lines at least 15-feet. See Figures 19.62.030(B) and (C).

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 - Internal open space.

A. Purpose.

1. To create useable space that is suitable for leisure or recreational activities for residents.
2. To create open space that contributes to the residential setting.
3. To provide plazas that attract shoppers to commercial areas.
4. To provide plazas and other pedestrian oriented spaces in commercial areas that enhance the employees' and public's opportunity for active and passive activities, such as dining, resting, people watching, and recreational activities.
5. To enhance the development character and attractiveness of commercial development.

B. Usable residential open space.

1. All multifamily development, including multifamily portions of mixed-use development, must provide minimum usable open space equal to 100-square-feet per dwelling unit for studio and one-bedroom dwellings and 150-square-feet per dwelling unit for dwellings with two or more bedrooms. The required open space may be provided in a combination of ways:
 - a. Shared open space. All of the required open space may be in the form of shared open space available to all residents and meeting the requirements of subsection (B)(2) below.
 - b. Ground level individual outdoor space. All of the required open space may for a unit be provided by ground level outdoor space that is adjacent and directly accessible to the subject unit. Such open spaces must be:
 - i. 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.
 - ii. Private porches may qualify as outdoor space provided they are at least 36-square-feet in area, with no dimension less than six-feet.
 - iii. LID BMPs may be included in ground level individual outdoor space provided the LID BMP design and maintenance requirements are consistent with the purpose of the space and do not affect usability.

Individual ground level open space that is in excess of minimum requirements must not be used in the calculations for determining the minimum usable open space requirements for other units in the development.

- c. Balconies. Up to 50-percent of the required open space may be provided by private balconies provided such spaces are at least 32-square-feet in area, with no dimension less than four-feet (not including railings), to provide a space usable for human activity.
- d. Common indoor recreation areas. For mixed-use buildings up to 50-percent of the required open space may be provided by common indoor recreation areas meeting the following conditions:
 - i. The space must meet ADA standards and must be located in a visible area, such as near an entrance, lobby, or high traffic corridors.

- ii. The space must be designed specifically to serve interior recreational functions and not merely be leftover unrentable space used to meet the open space requirement. Such space must include amenities and design elements that will encourage use by residents.
- e. Shared roof decks. For multifamily buildings, up to 50-percent of the required open space may be provided by shared roof decks located on the top of buildings which are available to all residents and meet the requirements below. For mixed-use buildings, 100-percent of the required open space may be provided by shared roof decks. Design requirements:
 - i. Space must feature hard-surfacing, provide amenities such as seating areas and other features that encourage use.
 - ii. Space must integrate landscaping elements that enhance the character of the space and encourage its use.
 - iii. Space must incorporate features that provide for the safety of residents, such as enclosures, railings, and appropriate lighting levels.
- 2. Shared open space design requirements. Shared open space can include landscaped courtyards or decks, entrance plazas, gardens with pathways, children's play areas, pools, and water features provided they are accessible to all residents of the development. Accessible areas with native vegetation and areas used for storm water retention, infiltration, or other multipurpose recreational and/or green spaces that meet the design criteria herein may qualify as shared open space.

Special requirements for shared open spaces include the following:

- a. Shared open space must be located in centralized areas that are visible from units within the development.
- b. Required setback areas must not count as shared open space unless the design of the space meets the standards herein.
- c. Shared open space must feature no dimension less than 15-feet in order to provide functional leisure or recreational activity (unless otherwise noted herein).
- d. Shared open space must feature paths or walkable lawns, landscaping, seating, lighting, and play structures, sports courts, or other pedestrian amenities to make the area more functional and enjoyable for a range of users.
- e. Shared open space must be separated from ground level windows, streets, service areas and parking lots with via landscaping, fencing, and/or other acceptable treatments that enhance safety and privacy for both the shared open space and dwelling units.
- f. When possible, the space should be oriented to receive sunlight, facing east, west or preferably south.
- g. Stairways and service elements located within or on the edge of shared open space must not be included in the open space calculations.
- h. Shared porches may qualify as shared open space, provided they are at least eight-feet in depth and 96-square-feet in total area.
- i. The space must be accessible to all residents of the development.
- j. Shared open spaces may include LID BMPs, like rain gardens, in up to 25-percent of the required open space.

Figure 19.62.040(B)(2)
Shared open space examples.

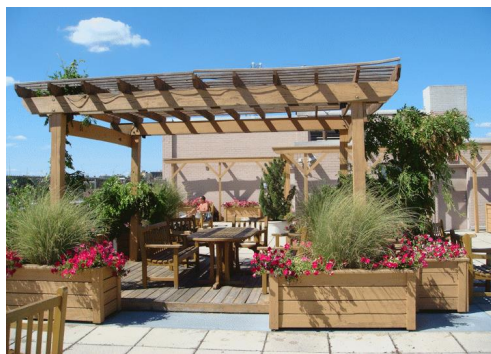


The upper left example include a combination of open lawn area for informal recreation plus pathways and decorative landscape areas to enhance the setting for residents. The upper right courtyard includes pathways, seating areas, landscaped beds, and decorative lighting to provide a visual and physical amenity for residents.



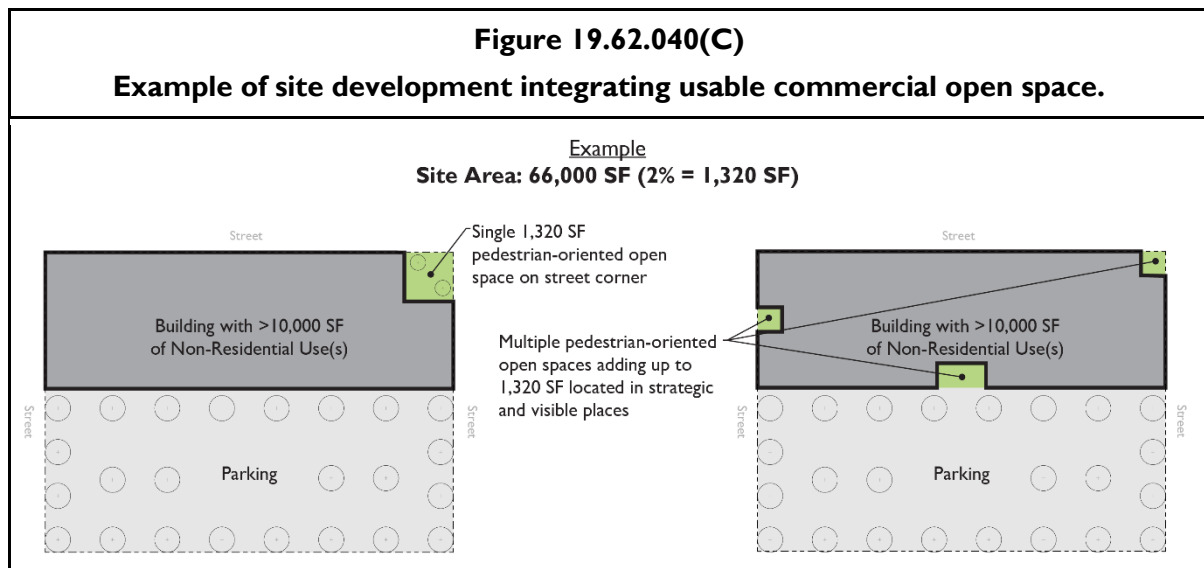
The left image above includes a covered gathering space with outdoor grills adjacent to a landscaped commons with a central pathway. The right image includes a pond/wetland type area with boardwalk and seating areas.

Figure 19.62.040(B)(5)
Rooftop deck examples.



- C. Usable 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 two-percent of the development site. The open space may be in the form of pedestrian-oriented open space per subsection (D) below, 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.

DEPARTURE: Open space area may be reduced to one-percent of the development site 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.



- D. Pedestrian-oriented open space design criteria.** This subsection describes the requirements and desired characteristics of pedestrian oriented open space [which may be used to meet the requirements of subsection (C) above].

1. Required pedestrian-oriented open space features.
 - a. Visual and pedestrian access into the site from a street, private access road, or non-vehicular courtyard.
 - b. Paved walking surfaces of either concrete or approved unit paving. Form-in-place pervious concrete paving is allowed.
 - c. Lighting must conform to AMC 19.69.040.
 - d. The spaces must be located in or adjacent to areas with significant pedestrian traffic to provide interest and security, such as adjacent to or visible from a building entry.
 - e. At least two-feet of seating area (a bench or ledge at least 16-inches deep and appropriate seating height) or one individual seat per 60-square-feet of plaza area or open space.
 - f. Landscaping components that add visual interest and do not act as a visual barrier. This could include planting beds, raised planters, and/or potted plants, or both.
2. Desirable pedestrian-oriented open space features:

- a. Pedestrian amenities, such as site furniture, artwork, drinking fountains, shade structures kiosks, or other similar features.
 - b. Adjacent buildings with transparent windows and doors covering at least 50-percent of the façade between 30-inches and ten-feet above the ground level.
 - c. Pedestrian weather protection, alcoves, seating, or other features along building edges to allow for outdoor gathering.
 - d. Pedestrian-oriented open spaces may include LID BMPs, like rain gardens, in up to 25-percent of the required open space.
3. Features prohibited within a pedestrian-oriented open space:
- a. Asphalt pavement.
 - b. Adjacent service areas (e.g., trash areas, loading docks) that are not separated with landscaping, as required by AMC 19.62.070.
 - c. Adjacent chain-link fences.
 - d. Adjacent “blank walls” without “blank wall treatment” (see AMC 19.63.060).
 - e. Outdoor storage.

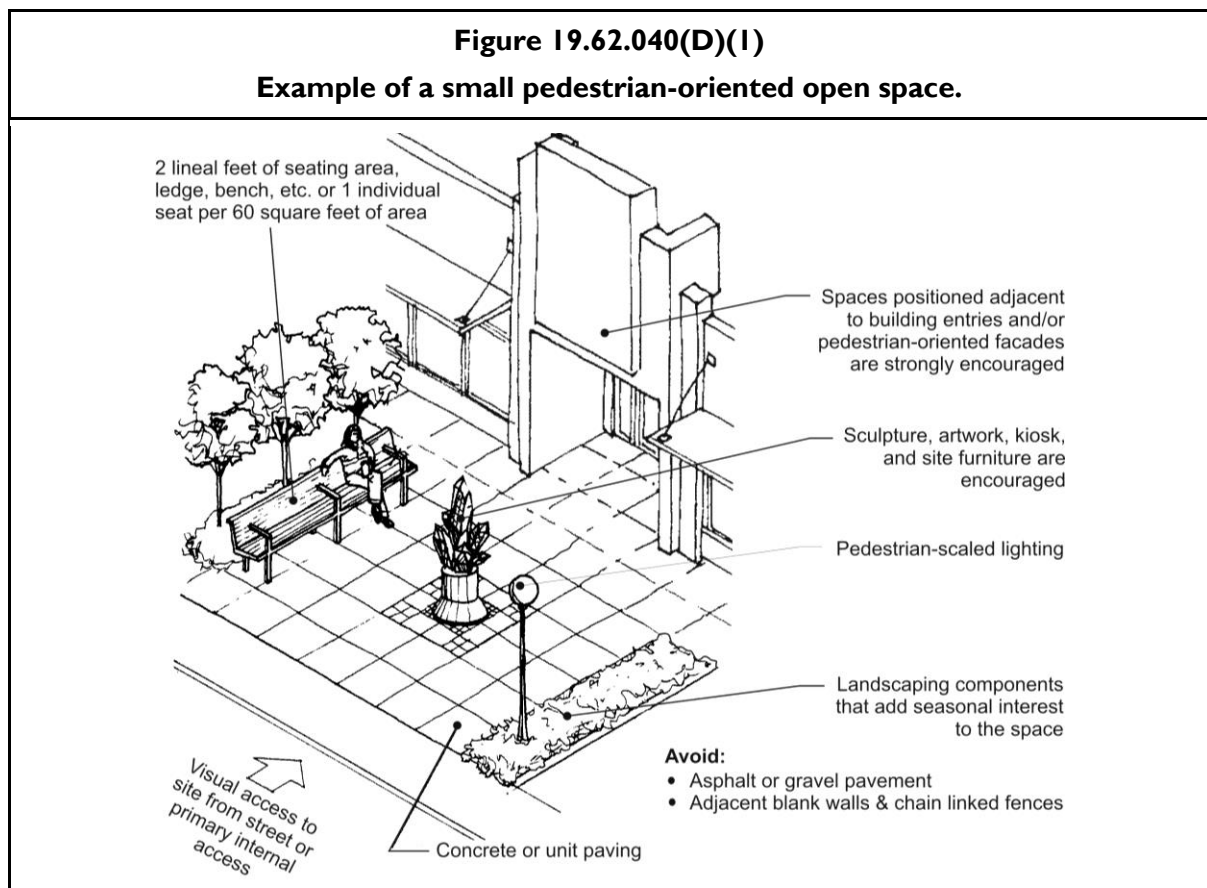


Figure 19.62.040(D)(2)
Desirable examples of pedestrian-oriented open space



The left example above is a colorful plaza with outdoor seating, landscaping elements and direct access to adjacent retail uses. The upper right image is a commons area with adjacent covered areas.



A covered outdoor gathering space (left) may be used to meet pedestrian-oriented open space requirements. In the right image, the widened sidewalk area may be counted as pedestrian-oriented open space.

19.62.050 - Internal pedestrian access and design.

A. Purpose.

1. To improve the pedestrian and bicycling environment by making it easier, safer, and more comfortable to walk or ride among residences, to businesses, to the street sidewalk, to transit stops, through parking lots, to adjacent properties, and connections throughout the city.
2. To enhance access to on- and off-site open space areas and pedestrian/bicycle paths.

B. Access to sidewalk. All buildings must feature pedestrian connections to a sidewalk per applicable block frontage standards in Chapter 19.61. See subsection (D) below for access design requirements.

Figure 19.62.050(B)

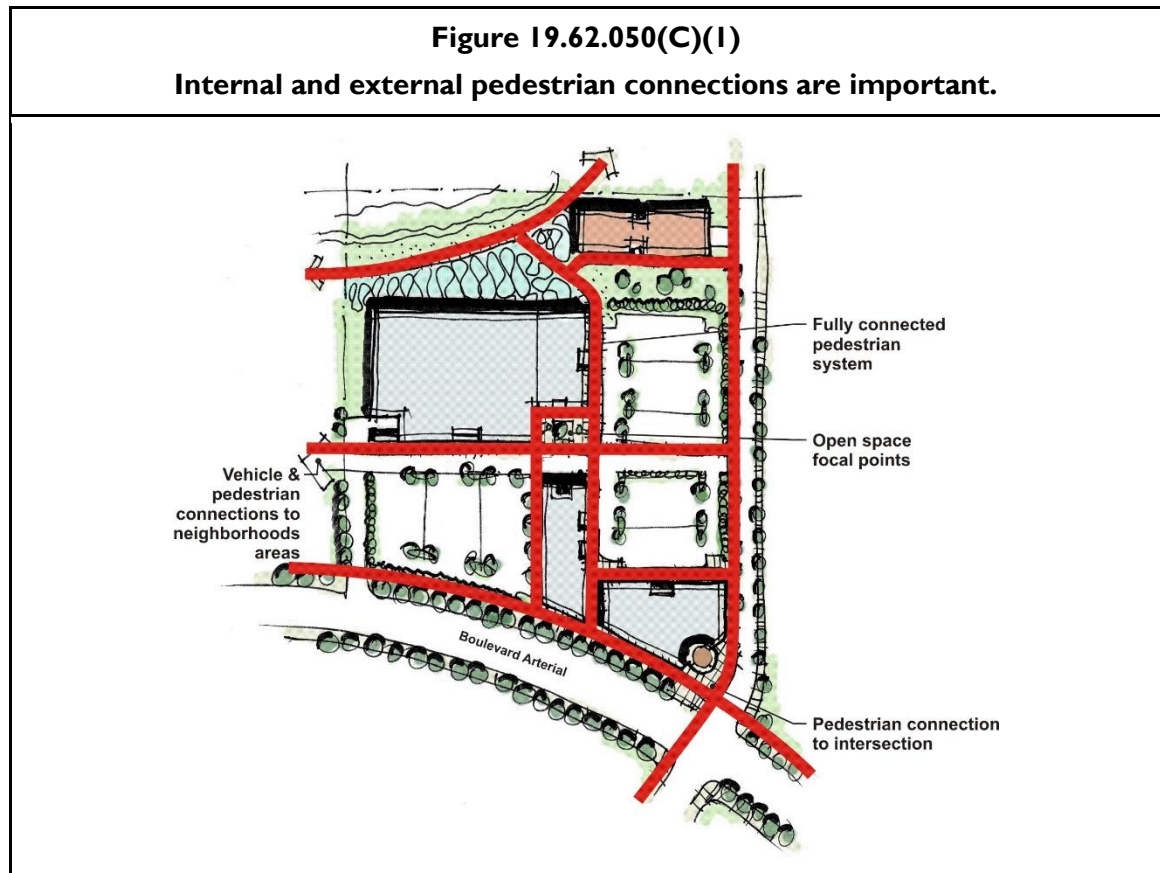
Examples of direct pedestrian access to buildings from the street.



C. Internal circulation.

- I. 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 an indirect route would enhance the design and/or use of a common usable open space. See subsection (D) below for pathway design standards.

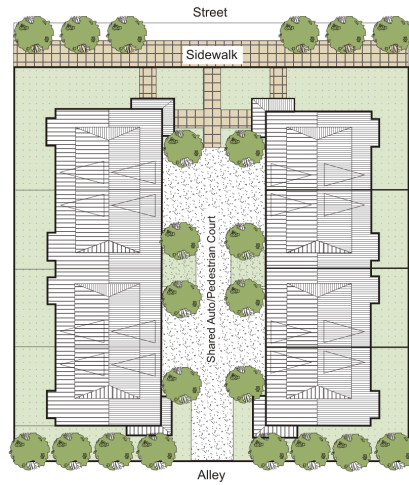


2. Sites with residential units. Provide direct pedestrian access between all ground related unit entries and a public street or to a clearly marked pathway network or open space that has direct access to a public street. Residential developments must provide a pedestrian circulation network that connects all main entrances on the site to other areas of the site, such as:
 - a. Parking areas.
 - b. Recreational areas.
 - c. Common outdoor areas.
 - d. Any pedestrian amenities.

For townhouses or other residential units fronting the street, the sidewalk may be used to meet this standard.

Figure 19.62.050(C)(2)(a)

Direct pathways between the street and dwelling units are required.



The entries of the example on the left connect directly to a public sidewalk while the entries in the right example connect to a common path that extends to the sidewalk.

Figure 19.62.050(C)(2)(b). Examples of attractive pedestrian connection through a residential development.

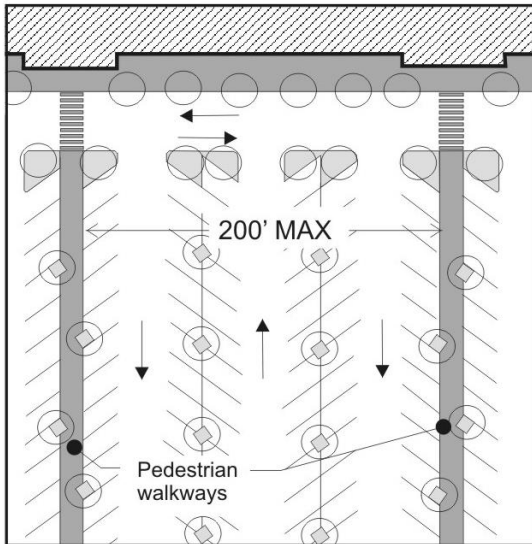


3. Crosswalks are required when a pathway crosses an on-site paved area accessible to vehicles. Crosswalks must contain contrasting material (such as concrete) and/or patterns (such as stamped asphalt), excluding painted surfaces.

4. Pedestrian paths through parking lots. Large parking areas must include specially marked or paved sidewalks. At least one pathway must be provided every four rows of parking, or at a maximum spacing of 200-feet. The pathways must provide a safe connection to the building entrance and meet the pathway design standards in subsection (D). See examples below.

Figure 19.62.050(C)(4)

Parking area pathway standards and examples.



Note the location of the parking lot pathway in the upper right example (connecting shops in one building to the main entry of a grocery store).



Note in the both examples that the concrete pathway extends into the vehicular area to provide a highly visible and safe crosswalk.

5. Barriers that limit future pedestrian access are prohibited. Gates that limit access to employees and residents are permitted. See subsection (D) below for pathway design standards.

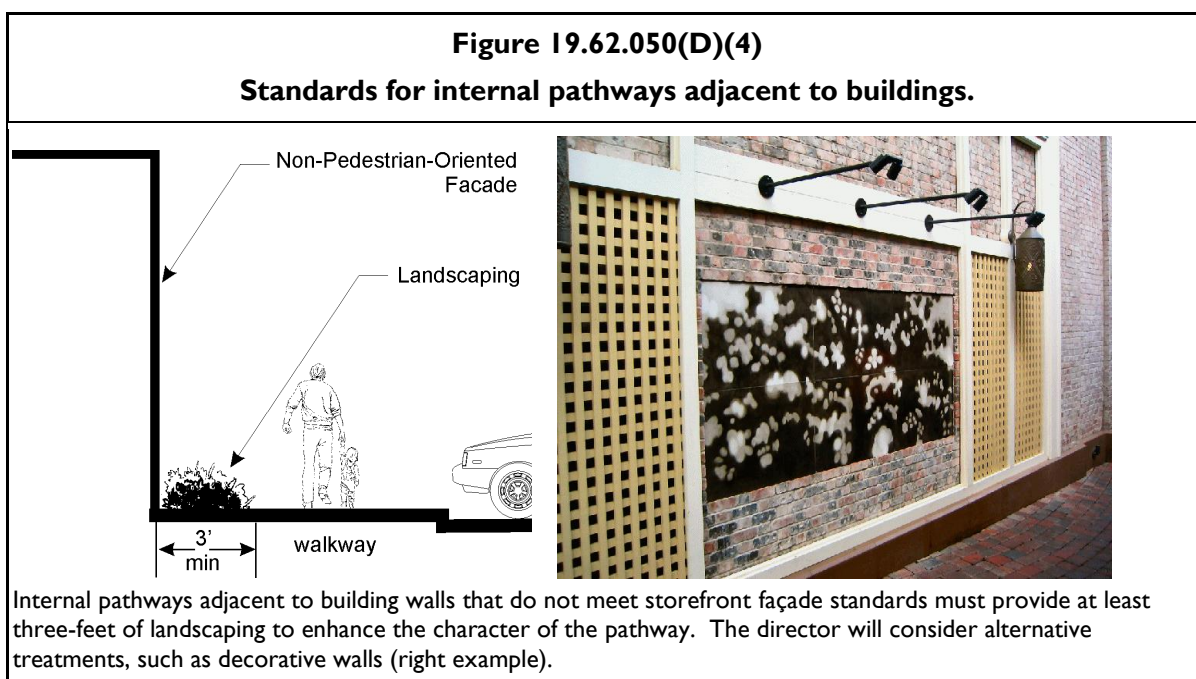
D. Pathway design.

1. All internal pedestrian pathways must have at least a minimum five-foot-wide unobstructed walking surface, except where otherwise required by the Anacortes Engineering Design Standards.
2. All internal pedestrian pathways must be curbed and raised six-inches above adjacent parking 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.

DEPARTURE: 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.

3. Where a pedestrian pathway is adjacent to perpendicular or angled parking, an extra two-feet of pathway width must be provided to accommodate parked vehicles overhanging the pathway unless wheel stops are installed to prevent parked vehicles from overhanging the curb.
4. Pedestrian walks must be separated from structures with at least three-feet of landscaping except where the adjacent building façade meets the Storefront block frontage standards per AMC 19.61.050.

DEPARTURE: 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. Figure 19.62.050(D)(4) below provides one example.



5. Pathway design along the facades (building elevations containing the primary tenant entries) of 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 and include the following:
 - a. Eight-feet minimum unobstructed width.

- b. Trees, as approved by the reviewing authority, placed at an average of 50-feet on-center and placed in grates or in planting strips as established in subsection (c) below.

DEPARTURE: Breaks in the tree coverage will be allowed near major building entries to enhance visibility.

- c. Planting strips with trees may be used between any vehicle access or parking area and the pathway, provided that the trees required in subsection (b) are included, the pathway meets the applicable width standards herein, and the combined pathway and planting strip is at least 12-feet wide. Stormwater best management practices elements may be included in the planting strip.

Figure 19.62.050(D)(5)

Example of a successful pedestrian sidewalk between parking lot and storefront.



- e. Pedestrian lighting in accordance with AMC 19.69.040.
- f. See also AMC 19.62.060(C) Internal roadway design.

19.62.060 - Vehicular circulation and parking.

The standards herein supplement the provisions of AMC Chapter 19.64 Parking and AMC Chapter 19.53 Private Driveways and Access. Where there is a conflict, these provisions herein apply.

A. Purpose.

1. To create a safe, convenient, and efficient network for vehicle circulation and parking.
2. To enhance the visual character of interior access roads.
3. To minimize conflicts with pedestrian circulation and activity.

B. Driveway provisions. Driveways must meet the standards in AMC 19.53.030.

C. Internal roadway design.

1. To increase the function and appearance of internal roadways on large sites (greater than two acres) in the MMU zone, street trees and sidewalks must be provided on all internal access roadways, excepting access roads designed solely for the purpose of service (e.g. waste pick-up) and loading.

DEPARTURES will be allowed, provided the overall pedestrian circulation system and site landscaping meet the intent of the standards.

2. In some instances where traffic speed and volume are low, the reviewing authority may approve a street where vehicle, bicycle and pedestrian movement are mixed such as in a “woonerf” or “shared street”. Woonerf streets must feature traffic calming and safety measures as well as landscape and amenity features as determined by the reviewing authority.

Figure 19.62.060(C)
Good internal roadway examples.



The examples above include angled parking and planter strips with street trees. Pedestrian-scaled lighting also contributes to the character in the upper right image.

Figure 19.62.060(C)
Good internal roadway examples.



The above left image illustrates a thoroughfare lane with a row of street trees. A sidewalk is included on one side of the street to provide a strategic connection between businesses. The right image illustrates the curb-less “woonerf” design where travel speeds are low and lanes are shared between pedestrians and vehicles.

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 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.

DEPARTURE: 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.

3. Additional drive-through lane standards.
 - a. Drive-through lanes must not restrict pedestrian access between a public sidewalk and on-site buildings. Designated pathways must not be located within required stacking space.
 - b. Stacking spaces and the entrance and exit for the drive-through facility must be located to prevent any vehicles from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other parking space areas.
 - c. Sufficient stacking space must be provided for handling of motor vehicles using the drive-through facility during peak business hours of the facility.

- d. A stacking space must be an area measuring eight-feet by 20-feet with direct forward access to a service window of a drive-through facility.
- e. Stacking spaces may not be counted as required parking spaces.
- f. Noise from drive-through speakers must not be audible from adjacent residential properties.

19.62.070 - Service areas and mechanical equipment.

A. Purpose.

- 1. To minimize adverse visual, odor, and noise impacts of mechanical equipment, utility cabinets and service areas at ground and roof levels.
- 2. To provide adequate, durable, well-maintained, and accessible service and equipment areas.
- 3. To protect residential uses and adjacent properties from impacts due to location and utilization of service areas.

B. Location of ground related service areas and mechanical equipment.

- 1. Service areas (loading docks, trash dumpsters, compactors, recycling areas, electrical panels, and mechanical equipment areas) must be located for convenient service access while avoiding negative visual, auditory, olfactory, or physical impacts on the streetscape environment and adjacent residentially zoned properties. Service areas must be sited for alley access if available.

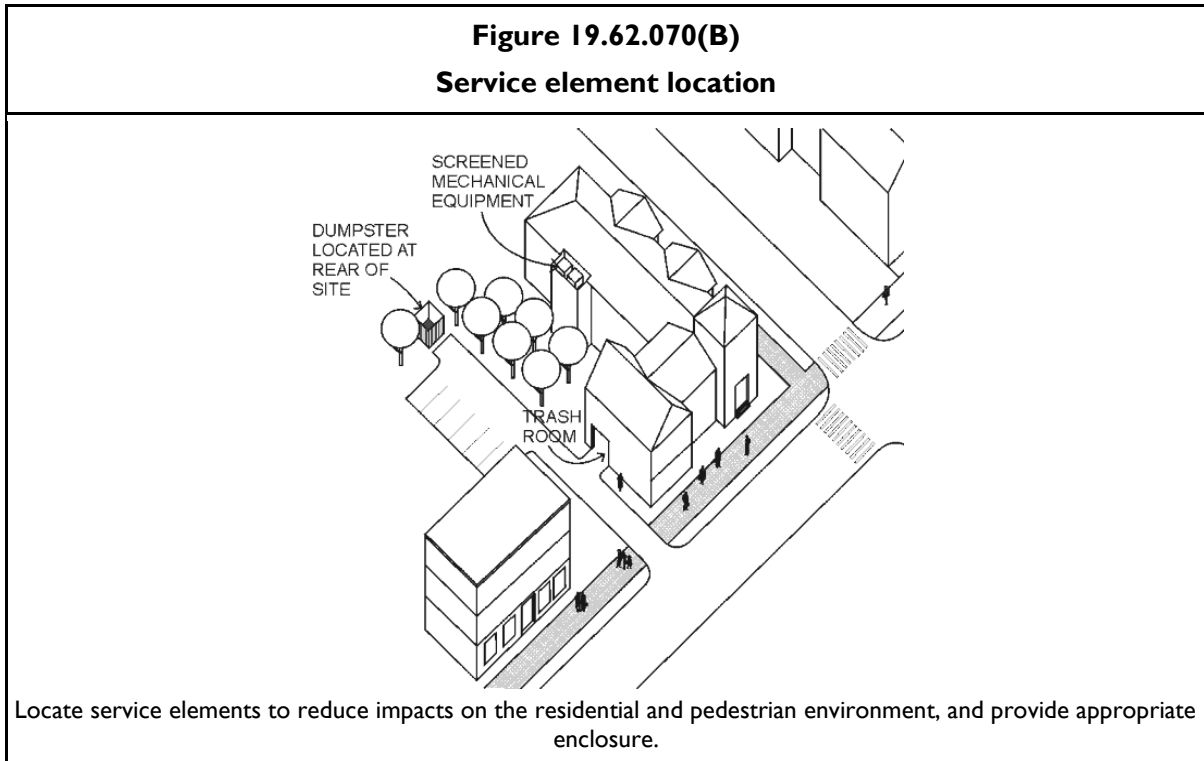
The director may require evidence that such elements will not significantly impact neighboring properties or public areas. (For example, the director may require noise damping specifications for fans near residential zones.)

- 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.

- 3. Service areas must not be visible from the sidewalk and adjacent properties. Where the director finds that the only option for locating a service area is an area visible from a street, internal pathway or pedestrian area, or from an adjacent property, the area must be screened with structural and or landscaping screening measures provided in subsection (C) below and AMC Chapter 19.65 Landscaping. Service elements accessible from an alley are exempt from screening requirements.
- 4. Design for safety. Other provisions of this section notwithstanding, service areas used by residents must be located to avoid entrapment areas and other conditions where personal security is potentially a problem. The director may require pedestrian-scaled lighting or other measures to enhance security.
- 5. Locate and/or shield noise producing mechanical equipment such as fans, heat pumps, etc., to minimize sounds and reduce impacts to at property lines adjacent to residentially zoned properties.
- 6. Dumpster storage areas.
 - 1. Dumpster storage areas must be provided for all non-residential and multifamily development.

2. Dumpster storage areas must be on-site and must not be located in the public right-of-way.
3. Dumpster storage areas must be sized to accommodate the minimum dumpster sizes (as provided by the Anacortes Engineering Design Standards) for garbage, recycling, and composting.



C. Screening of ground related service areas and mechanical equipment.

- I. Where screening of ground level service areas is required [see subsection (B)(3) above], 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 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 [see Figure 19.62.070(C) below].
 - 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.

DEPARTURES to the provisions of subsections (C)(1) and (2) will be considered per AMC 19.20.220 provided the enclosure and landscaping treatment meet the purpose of the standards and add visual interest to site users.

Figure 19.62.070(C)
Acceptable screening enclosures.



All three examples use durable and attractive enclosures with trees and shrubs to soften views of the enclosures from the side. The lower left example uses a trellis structure on top – a desirable example particularly where the top of the enclosures are visible from surrounding buildings, streets, and pathways (due to topography or building heights).

D. Utility meters, electrical conduit, and other service utility apparatus.

These elements must be located and/or designed to minimize their visibility to the public. Project designers are strongly encouraged to coordinate with applicable service providers early in the design process to determine the best approach in meeting these standards. If such elements are mounted in a location visible from the street, pedestrian pathway, shared open space, or shared auto courtyards, they must be screened with vegetation and/or integrated into the building's architecture.

Figure 19.62.070(D)

Utility meter location and screening - good and bad examples.



Place utility meters in less visible locations. The upper and lower left examples are successfully tucked away in a less visible location and/or screened by vegetation. The right images are poorly executed and would not be permitted in such visible locations. Such meters must be coordinated and better integrated with the architecture of the building.



E. Location and screening of roof mounted mechanical equipment.

1. All rooftop mechanical equipment, including air conditioners, heaters, vents, and similar equipment must be fully screened from public view at the street level. Screening must be located so as not to interfere with operation of the equipment.

Exception: Roof-mounted wind turbines, solar energy systems, and rainwater reuse systems do not require screening.

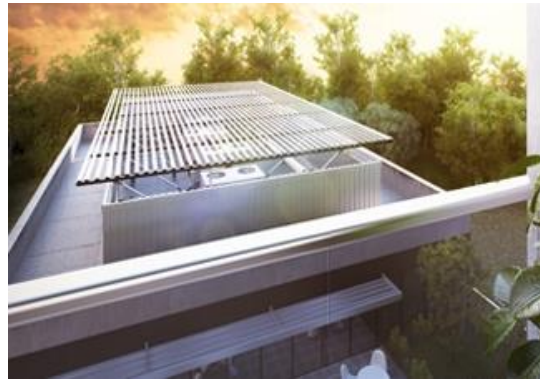
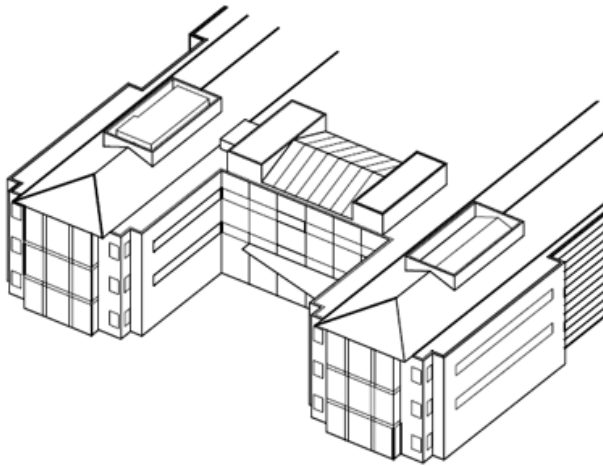
2. For rooftop equipment, all screening devices must be well integrated into the architectural design through such elements as parapet walls, false roofs, roof wells, clerestories, or equipment

rooms. Screening walls or unit-mounted screening is allowed but less desirable. Wood must not be used for screens or enclosures. Louvered designs are acceptable if consistent with building design style. Perforated metal is not permitted.

3. The screening materials must be of material requiring minimal maintenance and must be as high as the equipment being screened.
4. Locate and/or shield noise producing mechanical equipment such as fans, heat pumps, etc. to minimize sounds and reduce impacts to not at property lines adjacent properties.

Figure 19.62.070(E)

Examples of how to screen roof-mounted mechanical equipment.



The left illustration shows how rooftop mechanical equipment can be located and screened effectively. The right images shows effective location and screening, including side walls and a trellis to screen views from taller surrounding buildings.

Chapter 19.63 - BUILDING DESIGN

Sections:

- 19.63.010 - Purpose.
- 19.63.020 - Applicability.
- 19.63.030 - Building massing and articulation.
- 19.63.040 - Building details.
- 19.63.050 - Building materials.
- 19.63.060 - Blank wall treatment.

19.63.010 - Purpose.

This section provides direction for the design of buildings consistent with the goals and policies of the Anacortes Comprehensive Plan. See the individual “purpose” statements for each section in this chapter.

19.63.020 - Applicability.

- A. The provisions of this chapter apply to all non-residential and multifamily development. The following are exempt:
 - 1. All development in the I, LM, AZ, CM2, and MS zones.
 - 2. Developments in the HM and LMI zone when not abutting State Route 20 right-of-way.
- B. For clarification on the relationship between the provisions in this division and other documents and codes, see AMC 19.60.020(B).
- C. For the application of building additions and remodels and site improvements, see AMC 19.60.020(C).
- D. For clarification on how the provisions of this division are applied, see AMC 19.60.030.
- E. Public buildings may be exempted from building massing and articulation standards (see AMC 19.63.030), building details standards (see AMC 19.63.040), building materials provisions (see AMC 19.63.050), and blank wall treatment standards (see AMC 19.63.060) provided design treatments are integrated to meet the following objectives:
 - 1. Enliven the pedestrian environment along the adjacent sidewalks.
 - 2. Incorporate a prominent and inviting entry visible from the street.
 - 3. Building design and materials should evoke a sense of permanence.
 - 4. Site and building design stands out from the surrounding context as a distinct landmark and provides visual interest from all observable scales.

19.63.030 - Building massing and articulation.

A. Purpose.

1. To employ façade articulation techniques that reduce the perceived scale of large buildings and add visual interest from all observable scales.
2. To create clear and welcoming building entries.

B. Exemption. Buildings with less than 60 horizontal-feet of façade are exempt from this section.

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).
 - 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.

DEPARTURES will be considered provided they meet the purpose of the standards and the design criteria in subsection (D) below. 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.

Figure 19.63.030(C-1)
Storefront façade articulation examples.

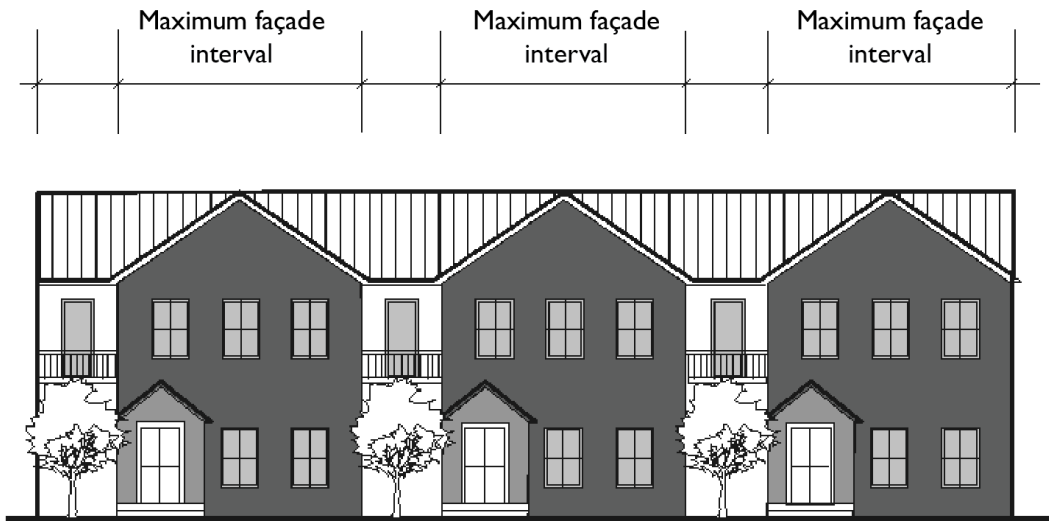


The left image uses window patterns, awnings, and roofline modulation. The photo example to the right also includes window patterns and weather protection along with brick vertical piers to articulate the façade.

The lower example illustrates how a multitenant retail building can successfully be articulated (windows, weather protection, vertical building modulation, and roofline changes).



Figure 19.63.030(C-2)
Residential façade articulation examples.



Below examples (except bottom right image) use a combination of vertical building modulation, window patterns, material changes, and roofline modulation.



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”.

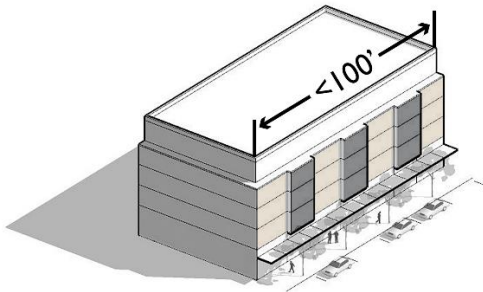
1. Consider the type and width of the proposed articulation treatment and how effective it is in meeting the purpose given the building’s current and desired context (per Anacortes’s Comprehensive Plan).
2. Consider the applicable block frontage designation. Undesignated block frontages warrant more 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.

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).

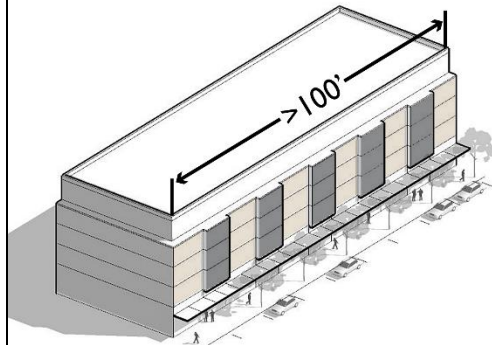
1. Provide vertical building modulation at least six-feet deep and 15-feet wide. For multi-story buildings, the modulation must extend through at least one-half of the building floors.
2. Use of a contrasting vertical modulated design component featuring all of the following:
 - a. Utilizes a change 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).
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.

Figure 19.63.030(E)

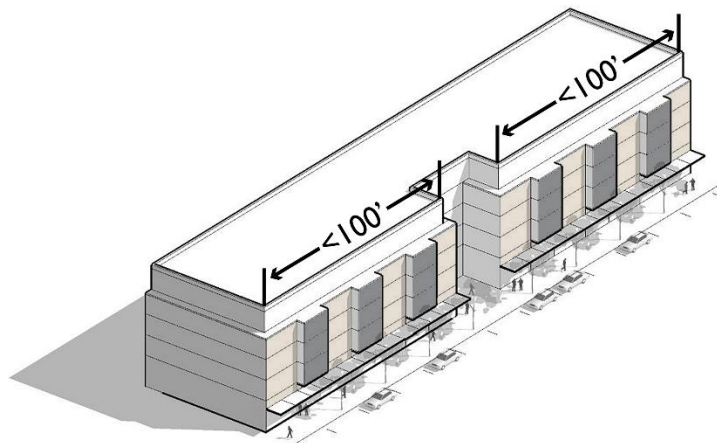
Illustrating maximum façade width standards and good and bad examples.



Less than 100' wide: Meets standard



More than 100' wide: Does not meet standard



Building incorporates a courtyard along the façade (technique #1 noted above) to effectively break it up into smaller components: Meets standard.



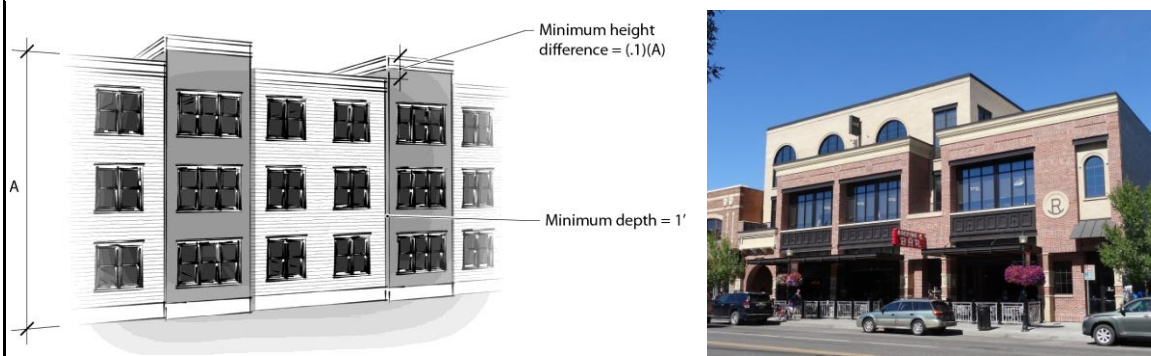
The left building uses technique # 1 (vertical building modulation at least six-feet deep and 15-feet wide). The right building uses technique #2 (contrasting vertical modulated design component). Both examples are effective in breaking up the perceived scale of the building and adding visual interest.

F. Roofline modulation. Roofline modulation is not required on all buildings. However, it can be used as one of the façade articulation features in subsections (B), (C), and (E) above. In order to qualify as an articulation feature, rooflines must employ one or more of the following:

1. 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 described in subsections above. Otherwise, the minimum vertical dimension of roofline modulation is the greater of four-feet or 0.2 multiplied by the wall height.
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 above.
3. A combination of the above.

DEPARTURES will be considered provided the roofline modulation design effectively reduces the perceived scale of the building and adds visual interest.

Figure 19.63.030(F)
Acceptable examples of roofline modulation.



Roofline modulation examples for flat roofs.



The left building illustrates a pitched roof example and the right building includes a combination of flat and gabled rooflines.

19.63.040 - Building details.

A. Purpose.

1. To encourage the incorporation of design details and small-scale elements into building façades that are attractive at a pedestrian scale.
2. To integrate window design that adds depth, richness, and visual interest to the façade.

B. 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 must be enhanced with appropriate details. This standard applies to applicable building façades and other building elevations facing parks and containing primary building entrances. 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 articulation interval [see AMC 19.63.030(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.

- I. Window and/or entry treatment, such as:
 - a. Display windows divided into a grid of multiple panes.
 - b. Transom windows.
 - c. Roll-up windows/doors.
 - d. Other distinctive window treatment that meets the purpose of the standards.
 - e. Recessed entry.
 - f. Decorative door.
 - g. Other decorative or specially designed entry treatment that meets the purpose of the standards.

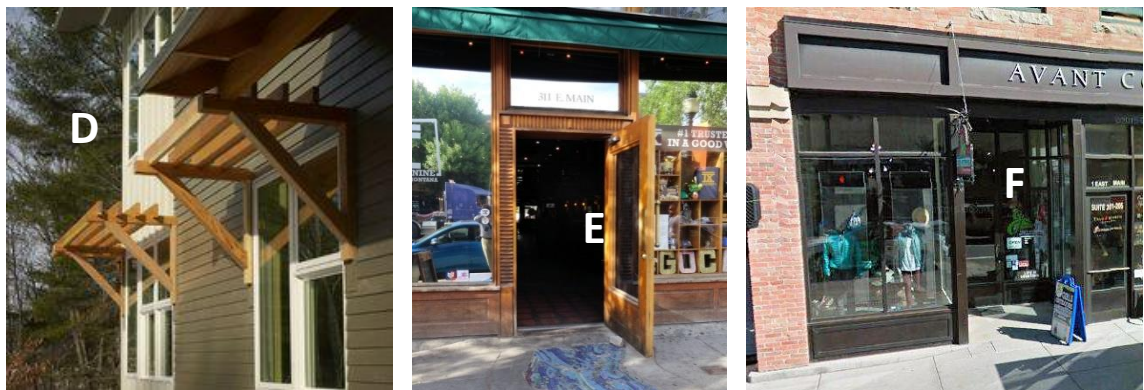
Figure 19.63.040(B)(I)

Examples of decorative or specially designed windows and entries.



Figure 19.63.040(B)(1)

Examples of decorative or specially designed windows and entries.



Examples of decorative or specially designed windows and entries. A = openable storefront window. B = transom windows. C = openable window with decorative details. D = decorative window shades. E = Decorative door. F = recessed entry.

2. Building elements and façade details, such as:
 - a. Custom-designed weather protection element such as a steel canopy, cloth awning, or retractable awning.
 - b. Decorative building-mounted light fixtures.
 - c. Bay windows, trellises, towers, and similar elements.
 - d. Decorative, custom hanging sign(s) (option only available for building remodels).
 - e. Other details or elements that meet the purpose of these standards.

Figure 19.63.040(B)(2)

Examples of attached elements that enhance the visual intrigue of the building.

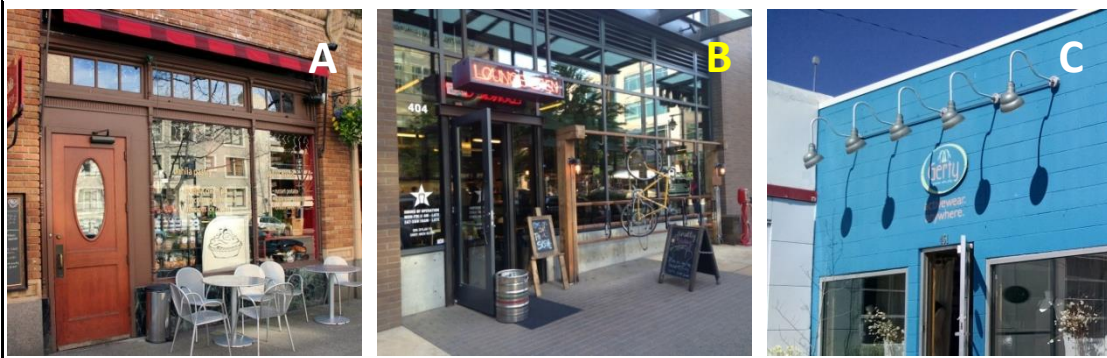


Figure 19.63.040(B)(2)

Examples of attached elements that enhance the visual intrigue of the building.



Examples of elements attached to façades that enhance the visual intrigue of the building. A = retractable awning. B = custom hanging bike rack and repair station integrated as a storefront design element. C = decorative façade/sign lighting. D and E = custom decorative canopy. F decorative tower.

3. Building materials and other façade elements, such as:
 - a. Use of decorative building materials/use of building materials. Examples include decorative use of brick, tile, or stonework.
 - b. Artwork on building (such as a mural) or bas-relief sculpture.
 - c. Decorative kick-plate, pilaster, base panel, or other similar feature.
 - d. Hand-crafted material, such as special wrought iron or carved wood.
 - e. Other details that meet the purpose of the standards.

Figure 19.63.040(B)(3)

Examples of building material details that enhance the visual intrigue of the building.



Figure 19.63.040(B)(3)

Examples of building material details that enhance the visual intrigue of the building.



Examples of decorative surface materials. A = decorative brick/design. B = decorative tile-work and column pattern. C = decorative medallion. D = decorative mosaic tile work. E = decorative bulkhead. F = Decorative materials and design.

DEPARTURES for façade detail standards of subsection (B) will be considered provided the façade (at the overall scale and at the individual articulation scale) meets the purpose of the standards.

C. Window design standards.

- I. All windows (except storefront display windows) must employ designs that add depth and richness to the building façade. At least one of the following features must be included to meet this requirement:
 - a. Recess windows at least two-inches from the façade.
 - b. Incorporate window trim (at least three-inches wide) around windows
 - c. Incorporate other design treatments that add depth, richness, and visual interest to the façade.
2. Highly reflective glass must not be used on more than ten-percent of a building façade or other building elevations facing parks and containing primary building entrances.

Figure 19.63.040(C)

Acceptable and unacceptable window design examples.



Recessed and/or trimmed windows.



This window lacks any other detail that adds visual interest.

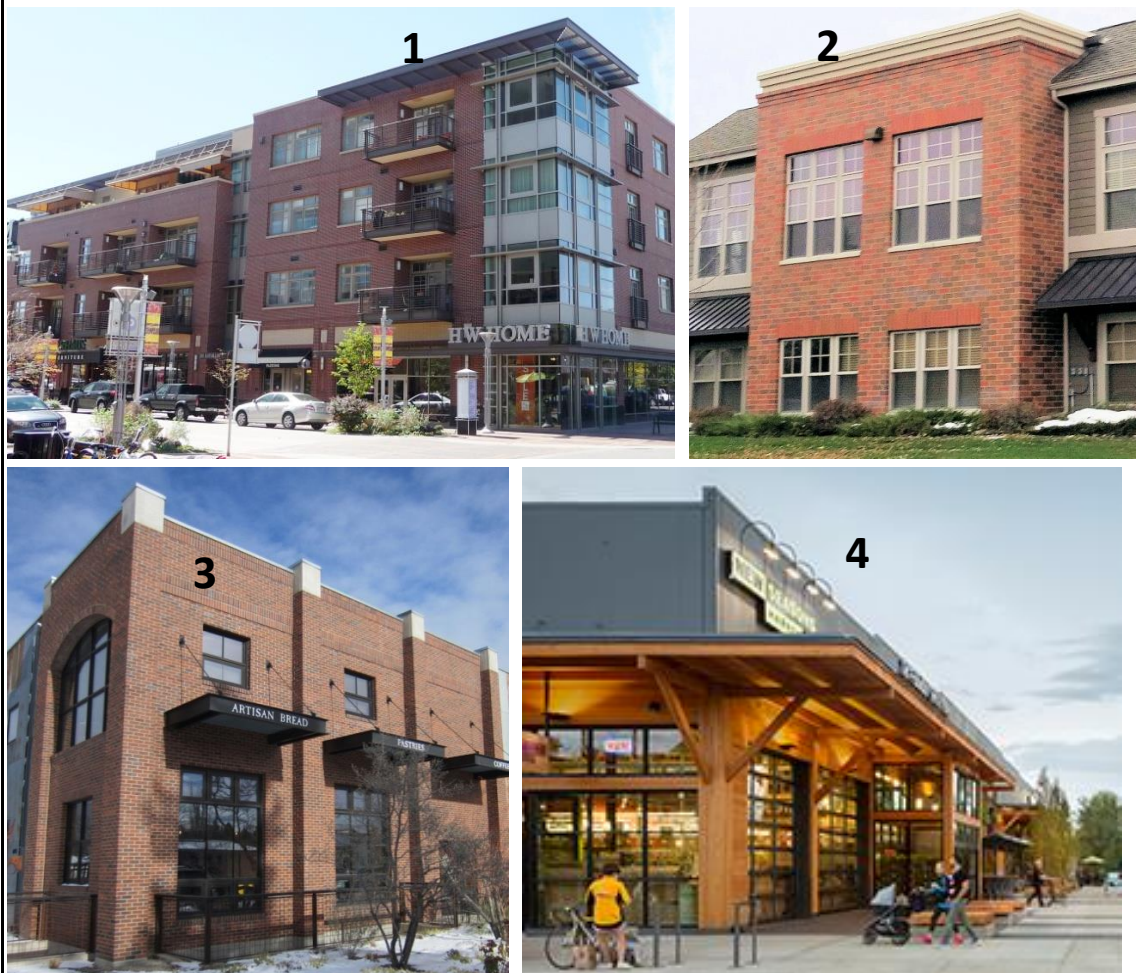
D. Cornice/roofline design. Buildings employing a flat roof must employ a distinctive roofline that effectively provides an identifiable “top” to the building. This could include a traditional cornice line or a contemporary interpretation of a traditional cornice line.

1. Such rooflines must be proportional to the size and scale of the building.
2. Understated cornice lines are permitted depending on the materials and design of the base and middle elements in reinforcing the base/middle/top configuration.

Figure 19.63.040(E) below illustrate acceptable and unacceptable examples.

Figure 19.63.040(D)

Examples of buildings employing confident and distinctive rooflines.



Building 1 uses a dramatic overhanging cornice at the corner. The left portion of Building 1 uses a very simple cornice line - to go with the upper level setback. Building 2 uses a traditional cornice line. Building 3 uses capped projecting columns along with an understated cornice line. Building 4 uses a very simple roofline - which is acceptable in this case due to the prominence of the wooden canopy.

Rooftop solar units are permitted, provided the placement and design of units visible from the surrounding streetscape are carefully integrated into the overall design concept of the building.

- E. Articulated building entries.** The primary building entrance for an office building, hotel, apartment building, public or community-based facility or other multi-story commercial building must be designed as a clearly defined and demarcated standout architectural feature of the building. Such entrances must be easily distinguishable from regular storefront entrances on the building. Such entries must be scaled proportional to the building. See Figure 19.63.040(F) below for good examples.

Figure 19.64.060(E)
Acceptable building entry examples.



19.63.050 - Building materials.

A. Purpose.

1. To encourage the use of durable, high quality, and urban building materials that minimize maintenance cost and provide visual interest from all observable vantage points.
2. To promote the use of a distinctive mix of materials that helps to articulate façades and lends a sense of depth and richness to the buildings.
3. To place the highest priority on the first floor in the quality and detailing of materials at the pedestrian scale.

B. Quality building materials. Applicants must use high quality durable materials. This is most important for the base of buildings, particularly for commercial and mixed-use buildings where the façade is sited close to sidewalks. Stone, brick or tile masonry, architectural concrete or other similar highly durable materials must be used for at least the bottom two-feet of the first floor façade on non-residential and mixed-use buildings (excluding window and door areas).

C. Special conditions and limitations for the use of certain cladding materials.

1. Concrete block (a.k.a. Concrete Masonry Unit or CMU) may be used as a secondary cladding material on all street facing building elevations if it is incorporated with other permitted materials.

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, combining split or rock-façade units with smooth blocks can create distinctive patterns. The figures below illustrate acceptable concrete block use/designs.

Figure 19.63.050(C)(1)
Acceptable concrete block use/design.



CMU is the primary cladding for the corner element above, but secondary to brick on the main façades. The corner element uses a combination of decorative split faced CMU closer to the sidewalk and smooth-faced CMU that is colored to look more like traditional white terra cotta tiles.



The above façade illustrates an acceptable alternative example, as CMU is used as the primary cladding material. Note the use of split-façade CMU's above each of the awnings and coupled with the use of smooth-façade CMU's on the vertical columns (which employ black accent tiles for added interest).

2. 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, 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.

Figure 19.63.050(C)(2)
Acceptable metal siding examples



The use of metal siding in each example above is secondary to masonry. The left and right images are more contemporary in character, whereas the middle image is more rustic and industrial, with more refined windows.

3. Standards for the use of Exterior Insulation and Finish System (EIFS). Such material/finishes may be used when 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 on non-residential and mixed-use buildings in the CBD, C, MMU, and CM zones.
 - b. EIFS must feature a smooth or sand finish only.
 - 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 of the following building elevations:
 - i. Ground level facades containing non-residential uses in the CBD, C, MMU, and CM zones.
 - ii. Other ground level building elevations containing non-residential uses in the CBD, C, MMU, and CM zones when facing parks or containing primary building entrances.
- Concrete, masonry, or other highly durable material(s) must be used for the subject ground level building elevations to provide a durable surface where damage is most likely.

DEPARTURES will be considered provided the material's integration and overall façade composition meets the purpose of the standards.

Figure 19.63.050(C)(3)

Acceptable and unacceptable EIFS examples.



Left image: Note the use of brick and decorative concrete block on the ground level and EIFS on the second floor. The window treatments visible on the second floor add depth and interest to the façade. Right image: EIFS is between the window and sidewalk - this design is prohibited.

4. Cementitious wall board paneling/siding may be used provided it meets the following provisions:
 - a. Cement board paneling/siding may not be used on ground level facades containing non-residential uses.
 - 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.

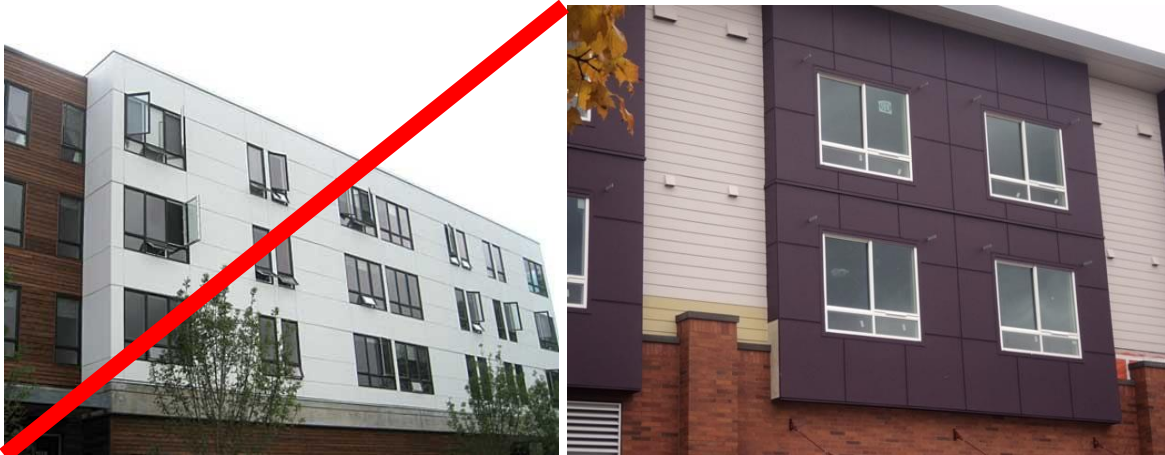
Figure 19.63.050(C)(4)

Acceptable and unacceptable cementitious wall board examples.



Figure 19.63.050(C)(4)
Acceptable and unacceptable cementitious wall board examples.

The above building uses cementitious wall board in different textures and colors to help articulate the façade. The white color replicates the board and batten style in the left image and green color in the right image effectively replicates horizontal wood siding.



The wall board panels covering a large area in a single color would not meet the purpose of the standards. The right image is a better example and combines larger panels (dark maroon color) with horizontal wall board siding (beige color) as effective articulation features. Below is a similar acceptable example.



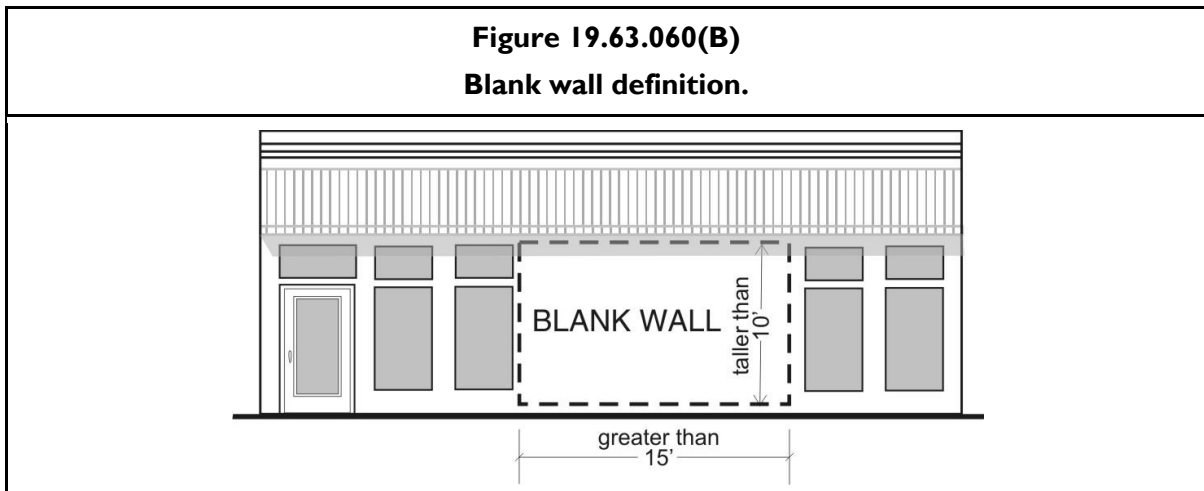
Another acceptable wall board example replicating board and batten style with horizontal siding integrated with different colors and roofline modulation.

19.63.060 - Blank wall treatment.

A. Purpose.

1. To avoid untreated blank walls.
2. To retain and enhance the character of Anacortes's streetscapes.

B. Blank wall definition. "Blank wall" means a ground floor wall or portion of a ground floor wall over 10-feet in height and a horizontal length greater than 15-feet and does not include a transparent window or door.



C. Blank wall treatment standards. Untreated blank walls adjacent to a public street, pedestrian-oriented space, common usable open space, or pedestrian pathway are prohibited. Methods to treat blank walls can include:

1. Display windows at least 16-inches of depth to allow for changeable displays. Tack-on display cases [see Figure 19.63.040(C) below] do not qualify as a blank wall treatment.
2. Landscape planting bed at least five-feet wide or a raised planter bed at least two-feet high and three-feet wide in front of the wall with planting materials that are sufficient to obscure or screen at least 60-percent of the wall's surface within three years.
3. Installing a vertical trellis in front of the wall with climbing vines or plant materials.
4. Installing a mural as approved by the director.
5. Special building detailing that adds visual interest at a pedestrian scale. Such detailing must use a variety of surfaces; monotonous designs will not meet the purpose of the standards.

For large visible blank walls, a variety of treatments may be required to meet the purpose of the standards.

DEPARTURES will be considered provided the entire façade composition meets the intent of the standards for the context of the wall (e.g., walls along pathway corridors connecting parking areas to building entries might be granted more flexibility than street facades).

Figure 19.63.060(C)
Blank wall treatment examples.



Acceptable and unacceptable blank wall treatments. Note in the far right example, the display cases don't meet the 16" depth requirement, nor does the design meet the purpose of the standards.

Chapter 19.64 - PARKING

Sections:

- 19.64.010 - Purpose.
- 19.64.020 - Generally.
- 19.64.030 - Computation of required parking spaces.
- 19.64.040 - Number of parking spaces required.
- 19.64.050 - Size of parking spaces.
- 19.64.060 - Modifications to parking requirements.
- 19.64.070 - Parking fee-in-lieu.
- 19.64.080 - Shared parking.
- 19.64.090 - Parking for shell building permits.
- 19.64.100 - Bicycle parking requirements.
- 19.64.110 - Parking area design and construction standards.
- 19.64.120 - Parking area maintenance.

19.64.010 - Purpose.

The purpose of this chapter is to:

- A. Provide for adequate, convenient, and safe parking for cars and bicycles for all uses allowed in this Code in all area of the city.
- B. Limit the overbuilding of parking, which has impacts on construction costs, land consumed, air and water quality, walkability, traffic congestion, and aesthetics.
- B. Provide for alternative parking arrangements such as flexible minimum requirements, shared parking, and in-lieu fees.
- D. Reduce demand for parking by encouraging walking, bicycling, public transit, and rideshare.

19.64.020 - Generally.

- A. Off-street parking in conjunction with all land and building uses established after the enactment of the ordinance codified in this title must be provided prior to the issuance of a certificate of occupancy.
- B. Off-street parking for non-residential use must be either on the same lot or within 500-feet (walking distance) of the building it is intended to serve.
- C. Residential off-street parking space must consist of a parking lot driveway, garage, carport, or a combination thereof and must be located on the lot they are intended to serve.
- D. Any area once designated as required off-street parking must not be changed to any other use unless and until parking facilities are provided elsewhere, which conform to the requirements of this chapter.
- E. Off-street parking existing at effective date of the ordinance codified in this title in connection with the operation of an existing building or use must not be reduced to an amount less than hereinafter required for a similar new building or new use.
- F. The required off-street parking area must be for occupants, employees, visitors, patrons, and must be limited in use to parking, except for approved temporary uses per AMC 19.48.020(A).

- G. Off-street parking meeting the minimum quantitative requirements of this chapter is not considered a principal use for the purpose of interpreting Table 19.41.040 and Table 19.41.050.
- H. Parking studies. For the purposes of this chapter, a parking study is a document that provides sufficient information to determine the parking requirements for a specific use. The estimate may be based on scientific data, census data, transit service, academic studies, similar uses in the city or comparable cities, or other sources accepted by the director. As required by this chapter, a parking study may be required for adjusting minimum and maximum quantitative requirements, determining times of peak parking demand, and determining impacts to on-street parking in the vicinity of the subject development site. All parking studies must be prepared by either a professional engineer with expertise in traffic and parking analyses or an equally qualified individual authorized by the director.
- I. Parking needs must be balanced with low-impact development planning that considers the reduction of impervious surfaces as a priority.

19.64.030 - Computation of required parking spaces.

A. Number of parking spaces.

- 1. Off-street parking areas must contain at a minimum the number of parking spaces as stipulated in AMC 19.64.040, except for modifications allowed elsewhere in this chapter.
- 2. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces must be rounded to the nearest whole number with fractions of .50 or greater rounding up and fractions below .50 rounding down.
- 3. In the case of two or more uses on the same site, the total requirements for off-street parking must be the sum of the requirements for each use computed separately, except as permitted in AMC 19.64.080 pertaining to shared parking.

B. Guest parking requirements.

- 1. Guest parking is required for all residential developments in accordance with this subsection. Guest parking provided is above and beyond the minimum quantitative requirements elsewhere in this chapter.
- 2. Guest parking location and accessibility standards:
 - a. On-street parking areas within or directly adjacent to the subdivision or other development may be used to meet guest parking requirements provide such areas aren't already used for the purpose of meeting minimum parking requirements. One parking space is equivalent to 20 lineal-feet of parallel on-street parking area.
 - b. Other off-street parking spaces within the subdivision/development that are above and beyond standard minimum parking requirements for the development may be used for guest parking.
 - c. Guest parking spaces must be available to guests of any residential unit in the development at all hours.
- 3. Minimum guest parking ratios by housing type.

Table 19.64.030(B) Minimum guest parking spaces required by housing type.	
Housing Type	Minimum guest parking ratio
Single-family	1 per 2 units
Cottage	1 per 4 units
Duplex or Triplex	1 per 4 units
Townhouse	1 per 4 units
Multifamily	1 per 8 units; 1 per 10 units if the multifamily use parking is provided entirely by structured parking; Where units average less than 700-square-feet, 1 per 4,000sf of net leasable floor area

4. Developments within the CBD zone are exempt from the guest parking requirements herein.
5. If the required number of guest parking spaces results in a fraction that requires less than one guest stall, no off-street guest parking space is required if on-street parking is available within 500-feet of the subject property.

C. Accessible parking requirements.

Accessible parking spaces must be provided in accordance with the Americans with Disabilities Act of 1990 and the current ADA Standards for Accessible Design.

19.64.040 - Number of parking spaces required.

- A. The minimum number of off-street parking spaces must be determined in accordance with Table 19.64.040.
- B. Special cases are indicated by the term “Director decision”, in which case parking requirements must be established by the director. For determination by the director, the applicant must supply one of the following:
 1. Documentation regarding actual parking demand for the proposed use.
 2. Technical studies prepared by a qualified professional relating to the parking need for the proposed use.
 3. Documentation of parking requirements for the proposed use from other comparable jurisdictions.
- C. Where a cell in Table 19.64.040 is blank, then there are no applicable requirements for the use.
- D. For unclassified uses, refer to AMC 19.41.030(E). Where the director finds that there is no similar use, the procedures for a “Director decision” under subsection (B) above apply.

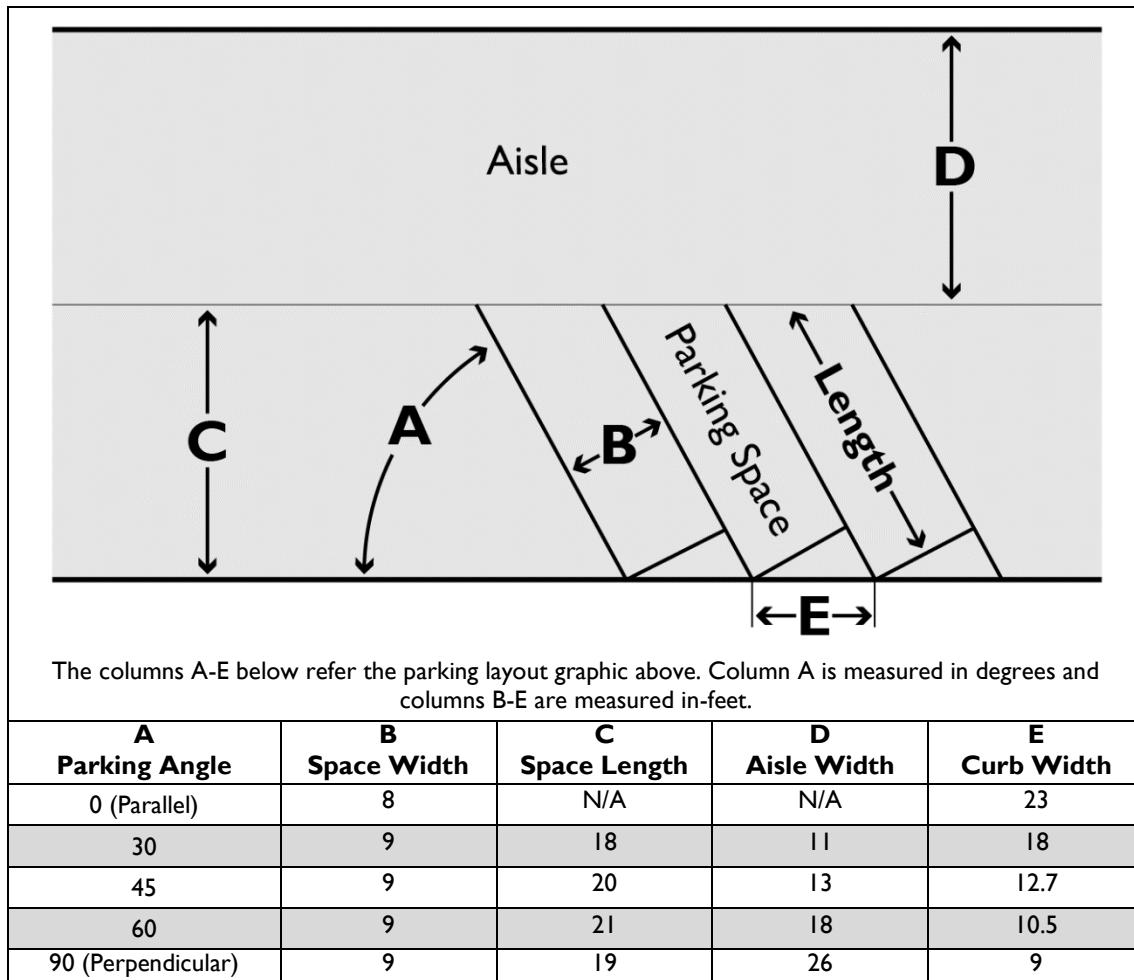
Table 19.64.040 Off-street parking spaces required.		
Use	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
RESIDENTIAL		
Household Living, as listed below		
Single-family	2 per unit	
Single-family, small lot	1 per unit	
Accessory dwelling unit	See AMC 19.47.030(B)(8)	
Cottage housing	1.5 per unit	
Duplex or triplex	Same as multifamily (based on number of bedrooms)	
Townhouse	Same as multifamily (based on number of bedrooms)	
Multifamily dwelling, one-bedroom or studio	1.0 per unit	1.5 per unit
Multifamily dwelling, two-bedrooms	1.4 per unit	2 per unit
Multifamily dwelling, three or more bedrooms	1.6 per unit	2.5 per unit
Multifamily dwelling, restricted	25% reduction in base multifamily parking requirements above (based on number of rooms)	Same as multifamily uses above
Live-work dwellings	Same as multifamily above plus: • Zero spaces for non-residential uses with <500sf non-residential floor area. • One space for non-residential uses with 500-1,000sf non-residential floor area. • Parking for non-residential floor area >1,000sf must meet applicable commercial use parking standards below.	
Group Living, as listed below		
Adult family home	2 per home	
Assisted living facility	0.5 per unit	
Nursing home	0.33 per bed	
Rooming houses	1 per rented room	
COMMERCIAL		
Day Care, as listed below		
Day care I facility	2 per facility	
Day care II facility	Director decision	
General-service, except as listed below	3 per 1,000-square-feet of NFA	5 per 1,000-square-feet of NFA

Table 19.64.040 Off-street parking spaces required.		
Use	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
Boat/marine equipment service	1 per 1,000-square-feet of NFA	
Heavy service	2 per 1,000-square-feet of NFA	
Water-oriented service use	Director decision	
Medical, as listed below		
Hospital	Director decision	
Medical office	3 per 1,000-square-feet of NFA	
Office	2.5 per 1,000-square-feet of NFA	4 per 1,000-square-feet of NFA
Overnight Lodging	1 per guest room	1.5 per guest room
Passenger Terminal	Director decision	
Personal Service, as listed below		
Personal services, with fixed stations	1.25 per station	1.5 per station
Personal services, without fixed stations	2.5 per 1,000-square-feet of NFA	4 per 1,000-square-feet of NFA
Recreation, Indoor, except as listed below	Director decision	
Adult concessions	3 per 1,000-square-feet of NFA	
Art gallery	2 per 1,000-square-feet of NFA	
Museum	4 per 1,000-square-feet of NFA	
Place of assembly	1 per 5 fixed seats or 8 per 1,000 NFA if no fixed seats	1 per 3 fixed seats or 12 per 1,000 NFA if no fixed seats
Recreation, Outdoor	Director decision	
Restaurant/Bar	5 per 1,000-square-feet of NFA	14 per 1,000-square-feet of NFA
Retail Sales, as listed below		
Retail or shopping center, less than 15,000-square-feet NFA	3 per 1,000-square-feet of NFA	5 per 1,000-square-feet of NFA
Retail or shopping center, 15,000-square-feet or more NFA	3 per 1,000-square-feet of NFA	4 per 1,000-square-feet of NFA
Heavy retail	2 per 1,000-square-feet of NFA	4 per 1,000-square-feet of NFA
Wholesale	1.5 per 1,000-square-feet of NFA	
Vehicle Sales/Rental	Director decision	
INDUSTRIAL		
Heavy Industrial	Director decision	1 per employee plus 2.5 per 1,000-square-feet of NFA

Table 19.64.040 Off-street parking spaces required.		
Use	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
Light Industrial, except as listed below	1.5 per 1,000-square-feet of NFA	1 per employee plus 2.5 per 1,000-square-feet of NFA
Marijuana production	Director decision	
Marijuana, processing	Director decision	
Light Manufacturing, except as listed below	1.5 per 1,000-square-feet of NFA	
Artisan manufacturing	2.5 per 1,000-square-feet of NFA	
Research & Development	2 per 1,000-square-feet of NFA	
Self-Service Storage	0.5 per 1,000-square-feet of NFA	
Warehouse & Distribution	0.05 per 1,000-square-feet of NFA	
Waste Related Services	Director decision	
Water-Oriented Industrial Uses	Director decision	
Wholesale Trade	Director decision	
PUBLIC, INSTITUTIONAL & OPEN SPACE USES		
Agriculture	Director decision	
Civic	Director decision	
Parks, Plazas, Open Spaces, and Natural Areas	Director decision	
Resource Extraction	Director decision	
Utilities	Director decision	

19.64.050 - Size of parking spaces.

A. Minimum requirements. Parking space and aisle dimensions for parking facilities must meet the standards in Table 19.64.050.



B. Parking space length. Parking spaces must be a minimum of 18-feet long and a maximum of 23-feet long. One foot may overhang designating walking paths.

C. Compact parking spaces.

- Up to 33-percent of required non-accessible parking spaces may be designated as compact.
- Compact parking spaces have a minimum space length of 15-feet and a minimum space width of eight-feet.
- Each compact parking space must be clearly identified by painting the word “COMPACT” in capital letters, a minimum of eight-inches high, on the pavement at the base of the parking space and centered between the striping.

D. Alley parking. When parking spaces located on a property are directly accessed from an alley, the alley right-of-way may be treated as the aisle per Table 19.64.050. The parking angle must be 45 degrees or less and parking spaces must be located to allow adequate turning space.

- E. Large vehicles.** When parking lots may have substantial traffic by trucks or other large vehicles, the director may establish larger minimum dimensions.
- F. Alternative standards.** The director may approve alternate designs not meeting these standards when a qualified Transportation Engineer demonstrates that the alternate design proposal meets current and accepted standards such those maintained by the Institute of Transportation Engineers.

19.64.060 - Modifications to parking requirements.

- A. For new development in the CBD zone, the minimum parking spaces required is 50-percent of that shown in Table 19.64.040.
- B. Ground floor commercial uses in the CBD zone are exempt from the minimum parking requirements of this chapter.
- C. Existing developments in mixed-use and industrial zones that change use or expand their net floor area by less than 50-percent are exempt from the minimum parking requirements of this chapter for the life of the building. Existing developments that expand their net floor area by 50-percent or more must meet the minimum requirements of this chapter. In no case may any new or expanded development exceed the maximum parking spaces allowed by this chapter, **unless meeting the requirements of subsection (E) below.**
- D. Minimum off-street parking for uses in the C, MMU, LM, LMI, HM, MS, I, CM2, R3, R3A, and R4 zones may be reduced from the requirements of Table 19.64.040 with any of the following options:
 - 1. The director may allow up to a 50-percent reduction in minimum parking spaces if the reduction is supported by a parking study per AMC 19.64.020(H).
 - 2. For non-residential uses 5,000-gross-square-feet or larger, two parking spaces may be replaced by one space reserved for employee carpools. Use of this provision is limited to a 10-percent reduction in total parking spaces as determined by the director.
 - 3. For non-residential uses 5,000-gross-square-feet or larger, provide showers, changing rooms, and day-use lockers near long-term bicycle parking (see AMC 19.64.100 for related requirements). Use of this provision is limited to a five-percent reduction in total parking spaces as determined by the director.
 - 4. For **new** residential uses with 20 or more dwelling units, **three** parking spaces may be replaced by one space reserved for a car-sharing provider. Use of this provision is limited to a **15**-percent reduction in total parking spaces as determined by the director. **A long-term agreement between the property owner and a car-sharing provider must be approved by the director. The agreement, along with a notice that the agreement is the basis for modified parking requirements under this chapter, must be recorded with the title to the property before a certificate of occupancy is issued.**
 - 5. The applicant may propose other transportation-related options that reduce parking demand in exchange for reduced minimum parking spaces if the director determines they meet the purpose of this chapter.
- E. Maximum off-street parking outside the CBD zone may be increased up to 25-percent from the requirements of Table 19.64.040 if the increase is supported by a parking study per AMC 19.64.020(H). For increases more than 25-percent, the director may require any of the following as a condition of the increase:
 - 1. For non-residential uses 5,000-gross-square-feet or larger, provide spaces reserved for employee carpools.

2. For non-residential uses 5,000-gross-square-feet or larger, provide showers, changing rooms, and day-use lockers near long-term bicycle parking (see AMC 19.64.100 for related requirements).
3. For non-residential uses 5,000-square-feet or larger, provide a designated passenger loading and unloading area. This area may be located on the street with approval of the public works director or off-street in conformance with the standards of AMC 19.62.060 and AMC Chapter 19.53 Private Driveways and Access.
4. For **new** residential uses with 20 or more dwelling units, provide spaces reserved for a car-sharing provider. **A long-term agreement between the property owner and a car-sharing provider must be approved by the director. The agreement, along with a notice that the agreement is the basis for modified parking requirements under this chapter, must be recorded with the title to the property before a certificate of occupancy is issued.**
5. The applicant may propose other transportation-related conditions that reduce parking demand in exchange for increased maximum parking spaces if they meet the purpose of this chapter.

19.64.070 - Parking fee-in-lieu.

A. Applicability. Developments may pay a fee in-lieu of off-street parking requirements established in AMC 19.64.040, provided the following conditions are met:

1. The City has adopted a parking fee-in-lieu plan with provisions for the rates, collection, and use of funds.
2. The development is new or an expansion of leasable area.
3. The development is in one of the following locations:
 - a. The CBD zone.
 - b. The OT zone east of M Avenue.
 - c. The C zone north of 12th Street.
 - d. The MS zone west of R Avenue.
 - e. The CM zone west of R Avenue.

B. Number of spaces. Up to 50-percent of the minimum parking space requirements of this chapter may be waived if all provisions of this section are met. Additional reduction opportunities up to an additional 50-percent may be waived if supported by a parking study per AMC 19.64.020(H).

C. Fee payment.

1. Rate. The fee-in-lieu per parking space must be set by the director and be based upon the current market rates for acquiring, planning, designing, developing, financing, and maintaining public off-street parking facilities. The director may maintain separate rate schedules based upon the different costs of surface parking facilities and structured parking facilities. The director may apply the rate that is consistent with the City's current public parking plan.
3. Timing. The fee must be paid prior to the issuance of a building permit.

D. Use of fee.

1. Funds from the parking fee-in-lieu program must be deposited by the City of Anacortes treasurer in a special fund to be designated the "Anacortes off-street parking cumulative fund."

The City Council may direct that other moneys be transferred into the fund to be used for the purposes of the fund.

2. The fund must be used exclusively for acquiring, planning, designing, developing, financing, and maintaining public off-street parking facilities by purchase or lease in the areas identified in subsection (A)(3) above. The number of parking spaces planned and provided must be at least equal to the number of parking spaces waived for private development under this section.
3. Parking facilities provided with this fee must be available for general public use at all times, including for long-term residential parking. Use of such parking facilities may require time-based fees, and other restrictions may apply, as determined by the City's current parking plan.

19.64.080 - Shared parking.

- A. Two or more buildings or uses may collectively provide the required off-street parking to achieve efficiency of vehicular and pedestrian circulation, economy of space, and a superior grouping of buildings or uses. Legally binding documents, such as a covenant or reciprocal easement agreement, or by participation in a local improvement district or parking cooperative or association, must be approved by the City attorney and recorded with the Skagit County Auditor in the chain of title for the properties at expense of the applicant.
- B. When cooperative parking facilities can be provided, the director may reduce the on-site parking requirements based on the following criteria:
 1. Peak demand occurs at distinctly different times as reported by the Institute of Transportation Engineers or found with a parking study per AMC 19.64.020(H).
 2. The minimum required parking must be based upon the minimum amount necessary to satisfy the daily peak demand generated by the uses.
 3. In no case may the minimum required parking for a multi-tenant facility be less than 60-percent of the total required for the individual uses.
- B. Shared parking associated with multi-tenant retail and commercial facilities will be considered to be a shared parking facility. Lease agreements will satisfy the requirement for a sufficient legal document.
- C. If any requirements for shared parking are violated, the affected property owners must provide a remedy satisfactory to the director or provide the full amount of required off-street parking for each use, in accordance with the requirements of this chapter, unless a satisfactory alternative remedy is approved by the director.

19.64.090 - Parking for shell building permits.

When the city has received a shell building permit application, off-street parking requirements must be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses results in different parking requirements, the director must establish the amount of parking based on a likely range of uses.

19.64.100 - Bicycle parking requirements.

A. Minimum required.

1. The minimum number of short-term and long-term bicycle parking spaces required is in Table 19.64.080. For the purposes of this section, the director must determine what use applies to the development.
2. If the formula for determining the number of bicycle parking spaces results in a fraction, the number of off-street parking spaces must be rounded to the nearest whole number with fractions of .50 or greater rounding up and fractions below .50 rounding down. If the formula results in a number less than one, then at least one bicycle parking space is required.
3. In the case of two or more uses on the same site, the total requirements for bicycle parking must be the sum of the requirements for each use computed separately.
4. Developments which require less than 10 vehicle parking spaces under the provisions of this chapter are exempt from these bicycle parking requirements.

Table 19.64.080 Bicycle parking spaces required.		
Use	Minimum Short-Term Bicycle Parking Spaces Required	Minimum Long-Term Bicycle Parking Spaces Required
RESIDENTIAL USES		
Multifamily and group residential	1 per 20 dwelling units	1 per 10 dwelling units
COMMERCIAL & INDUSTRIAL USES		
Hotel/motel	1 per 15 guest rooms	1 per 30 guest rooms
Place of assembly	1 per 30 fixed seats or 1 per 1,000-square-feet of NLA if no fixed seats	1 per 60 fixed seats or 0.25 per 1,000-square-feet of NLA if no fixed seats
Retail and service	0.25 per 1,000-square-feet of NLA	0.10 per 1,000-square-feet of NLA
Office	0.25 per 1,000-square-feet of NLA	0.25 per 1,000-square-feet of NLA
Industrial	1 per 10,000-square-feet of NLA	0.5 per 10,000-square-feet of NLA
PUBLIC, INSTITUTIONAL & OPEN SPACE USES		
Education/school	2 per 1,000-square-feet of NLA	A quantity equal to 10-percent of the maximum students present at the peak hour plus 5-percent of employees

B. Location.

1. Short-term bicycle parking spaces may be located:
 - a. Indoors or outdoors on the development site.
 - b. On a public sidewalk outside the development, provided all of the following requirements are met:
 - i. The total sidewalk width (including any planting area or landscaped strip) is at least 12-feet wide in a mixed-use or industrial zone or at least eight-feet wide in a residential zone.
 - ii. The bicycle parking spaces are within 100-feet of the development's primary pedestrian entry.
 - iii. The public works director certifies bicycle parking in the public right-of-way in the proposed location does not conflict with the Transportation Plan.

- iv. The property owner maintains the bicycle parking in perpetuity per the terms of an encroachment permit recorded to the property title.
2. Long-term bicycle parking spaces must be located on the development site.

C. Design.

1. The design of short-term and long-term bicycle parking spaces must substantially comply with the current “Essentials of Bike Parking” maintained by the Association of Pedestrian and Bicycle Professionals, or similar standards approved for use by the director.
2. Locating all bicycle parking spaces under weather protection cover is encouraged.

19.64.110 - Parking area design and construction standards.

- A. Parking area plans.** Developments featuring new off-street parking areas must submit plans of such parking area(s) showing adjacent streets, proposed circulation of traffic, proposed stormwater management, lighting, landscaping, and fencing.
- B. Parking lot access.** Ingress and egress to the parking lot or area must be provided at locations approved by the city engineer.
- C. Surfacing and grading.** All required off-street parking area must be graded and surfaced to a standard comparable to the street which serves the parking area as determined by the city engineer. Off-street parking areas must have dust-free, all-weather surfacing. Off-street parking areas must conform to City of Anacortes development standards.
- D. Drainage.** Drainage and erosion/sedimentation control facilities must be provided in accordance with City of Anacortes development standards.
- E. Parking space markings.** Asphalt or concrete surfaced parking areas must have parking spaces marked by surface paint lines or suitable substitute traffic marking material. Wheel stops or curbing are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, right-of-way, or landscaped areas.
- F. Traffic control devices.** All traffic control devices such as parking strips, designated car stalls, directional arrow or signs, bull rails, curbs, and other developments must be installed and completed as shown on the approved plans. Hard surfaced parking areas must use paint or similar devices to delineate car stalls and direction of traffic.
- G. Curbing.** All access and parking areas must use cast-in-place vertical curbs or functionally equivalent designs that provide pedestrian safety. Curbs may be cut to allow surface water runoff to enter low impact development best management practices.

19.64.120 - Parking area maintenance.

- A. The property owner must maintain all off-street access and parking areas.
- B. Maintenance must include:
 1. Removal and replacement of dead and dying trees, grass and shrubs.
 2. Removal of trash and weeds
 3. Repair and maintenance of traffic control devices, parking space striping, signs, light standards, fences, walls, surfacing materials, curbs, railings, landscaping, and stormwater best management practice elements.

4. Repair and maintenance of permanent stormwater best management practice elements.

Chapter 19.65 - LANDSCAPING

Sections:

19.65.010 - Purpose.

19.65.020 - Applicability and compliance.

19.65.030 - Landscaped area, defined.

19.65.040 - Landscape plans.

19.65.050 - Plant material and installation standards.

19.65.060 - Landscaping types.

19.65.070 - Landscaping site design standards.

19.65.080 - Maintenance.

19.65.090 - Irrigation standards.

19.65.100 - Performance assurance/bonding.

19.65.010 - Purpose.

Landscaping is necessary to provide a well-balanced, aesthetically pleasing environment for the residents of Anacortes. Specifically, these requirements are intended to accomplish the following:

- A. Maintain and enhance property values.
- B. Enhance the character and appearance of each neighborhood and the community.
- C. Promote tree retention and the protection of existing native vegetation.
- D. Implement tree and landscaping plans and programs adopted by the city.
- E. Provide adequate buffers between differing land uses.
- F. Define, break up, and screen parking areas to reduce potentially negative impacts on adjacent uses.
- G. Improve the air quality and provide wildlife habitat.
- H. Reduce erosion and stormwater runoff.

19.65.020 - Applicability and compliance.

- A. Applicability. This chapter applies to all required landscaping installed or altered on all properties.
- B. For clarification on the relationship between the provisions in this division and other documents and codes, see AMC 19.60.020(B).
- C. For the application of building additions and remodels and site improvements, see AMC 19.60.020(C).
- D. For clarification on how the provisions of this division are applied, see AMC 19.60.030.
- E. The director may waive or relax these provisions in the HM, I, LM, MS, and CM2 zones depending on the type of use, number of anticipated employees and customers, and the site's physical context. Greater numbers of employees and/or customers and higher visibility levels warrant a greater application of building design standards.

19.65.030 - Landscaped area, defined.

Minimum landscaped areas required in Tables 19.42.020-.030 consist of grade level or elevated planting beds featuring trees, shrubs, flowers, ferns, groundcover, lawn grass, and other vegetation. Landscaped area may include xeriscape elements.

Exceptions and exemptions:

- A. Developments on sites with a designated Storefront block frontage are exempt.
- B. Developments on sites featuring a building or buildings meeting Storefront block frontage standards along the entire lot frontage are exempt.
- C. Commercial or multifamily developments may use rooftop planting areas to provide required landscaped area provided at least 50-percent of all required parking is located within and/or below the structure.

19.65.040 - Landscape plans.

- A. A landscape plan is required for all new development containing landscaping, including landscaping within the adjacent right-of-way. The landscape plan must be submitted as part of the applicable review process within AMC 19.20.030.
- B. Landscape plans must be completed by a Washington state licensed landscape architect or Washington-Certified Professional Horticulturalist (CPH) for multifamily and nonresidential developments with a development site area of 10,000-gross-square-feet or more.
- C. Landscape plans must show the following elements:
 - 1. Boundaries and dimensions of the site.
 - 2. Location of existing and proposed streets, curbs, utility lines, sidewalks.
 - 3. Location of buildings and structures, parking lots, driveways, loading areas, outdoor mechanical equipment, signs, refuse enclosures, overhead utilities, water meter location, grassy swales, parking lot lighting, and any plants or trees that are to remain on site.
 - 4. The location and design of landscape areas to be preserved and planted, and plant list to include the location, number, size and type of plant material by botanical and common name.
 - 5. North arrow and scale.
 - 6. Irrigation system if a permanent or temporary system is proposed.
 - 7. Planting details.
 - 8. Name, address and phone number of the person preparing the plan.
 - 9. Landscaping calculations in compliance with this chapter.
 - 10. A maintenance plan for any infiltration-based stormwater best management practices (BMPs) built as part of the landscaping design, including the specifications and maintenance procedures of any soil amendments.
 - 11. The location of existing trees to be preserved, or new trees to be planted, in conformance with AMC Chapter 16.50 Tree Preservation, when applicable.
- D. No building permits or certificate of occupancy (CO) must be issued until a landscape plan is reviewed and approved and improvements installed per the approved landscape plan. A suitable guarantee may be provided if installation is not possible or advisable due to seasonal constraints.

19.65.050 - Plant material and installation standards.

A. Native and naturalized plant species.

New landscaping materials must include species native to the region or hardy, waterwise, and non-invasive species appropriate in the climatic conditions of the region (decorative annuals are an exception). Generally acceptable plant materials must be those identified as hardy in Zone 8b as described in the United States Department of Agriculture's Plant Hardiness Zone Map. The selection of plant species should include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, compatibility with existing native vegetation preserved on the site, water conservation where needed, **soil infiltration capacity**, and the impact of landscaping on visibility of the site for purposes of public safety and surveillance.

B. Tree standards and guidelines.

1. Tree heights may be called for within this chapter or elsewhere within this title:
 - a. Large tree: Capable of growing 35-feet high or greater under normal growing conditions.
 - b. Medium tree: Capable of growing over 15-feet high and less than 35-feet high under normal growing conditions.
 - c. Small tree: Capable of growing up to 15-feet high under normal growing conditions.
2. Unless otherwise noted herein, required trees must meet the following standards at the time of planting:
 - a. Required deciduous trees (other than street trees) must be fully branched, have a minimum caliper of 1 1/2-inches (as measured six-inches above the root ball), and a minimum height of 6-feet at the time of planting.
 - b. Required deciduous trees within parking areas must be a minimum caliper of one-inch (as measured six-inches above the root ball) and a minimum height of 10-feet at the time of planting.
 - c. Required evergreen trees must be fully branched and a minimum of six-feet in height, measured from the treetop to the ground, at the time of planting.

C. Shrub standard.

Shrubs, except for ornamental grasses, must be a minimum of one-gallon size at the time of planting.

D. Ground cover standards and guidelines.

1. Ground covers must be planted and spaced to result in total coverage of the required landscape area within three years, or as per recommendations by a Washington state licensed landscape architect or Washington-Certified Professional Horticulturalist as follows:
 - a. Four-inch pots at 18-inches on-center.
 - b. One-gallon or greater sized containers at 24-inches on-center.
 - c. A bed of flowers in place of ground cover plants. A reduction in the minimum size may be permitted if certified by a Washington state licensed landscape architect or Washington-Certified Professional Horticulturalist that the reduction must not diminish the intended effect or the likelihood the plants will survive.
2. Grass is acceptable as ground cover in landscaped areas, but generally not preferred for water conservation and maintenance purposes (lawn areas designed as play areas are an exception).

3. Ground cover areas must contain at least two-inches of composted organic material at finished grade.

E. Tree and plant diversity.

1. If there are more than eight required trees, no more than 40-percent of them may be of one species.
2. If there are more than 24 required trees, no more than 20-percent of them may be of one species.
3. If there are more than 24 required shrubs, no more than 75-percent of them may be of one species.

F. Soil augmentation and mulching.

1. Existing soils must be augmented with a two-inch layer of fully composted organic material tilled a minimum of 6-inches deep prior to initial planting.
2. Landscape areas must be covered with at least two-inches of mulch to minimize evaporation. Mulch must consist of organic materials such as bark chips and wood grindings or yard waste, sawdust, and/or manure that is fully composted. Washed rock can also be used as a mulch.

G. Landscape installation standards

1. All required landscaping must be in-ground, except when in raised planters. Plant materials will be installed to current nursery industry standards.
2. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement. Where support is necessary, stakes, guy wires or other measures must be removed as soon as the plant can support itself.
3. Existing trees and plant materials to be retained must be protected during construction, such as by use of chain link or other sturdy fence placed at the dripline of trees to be retained. Grading, topsoil storage, construction material storage, vehicles and equipment must not be allowed within the dripline of trees to be retained.
4. Installation of landscaping materials must take into consideration access to utility vaults, pedestals, and other public and private utility facilities.
5. Tree/shrub height and location. The landscape plan should plan for the mature size of trees and major shrubs to avoid interference with windows, decks or lighting.
6. Trees must be protected by fencing until they are mature enough to withstand typical wildlife activity.

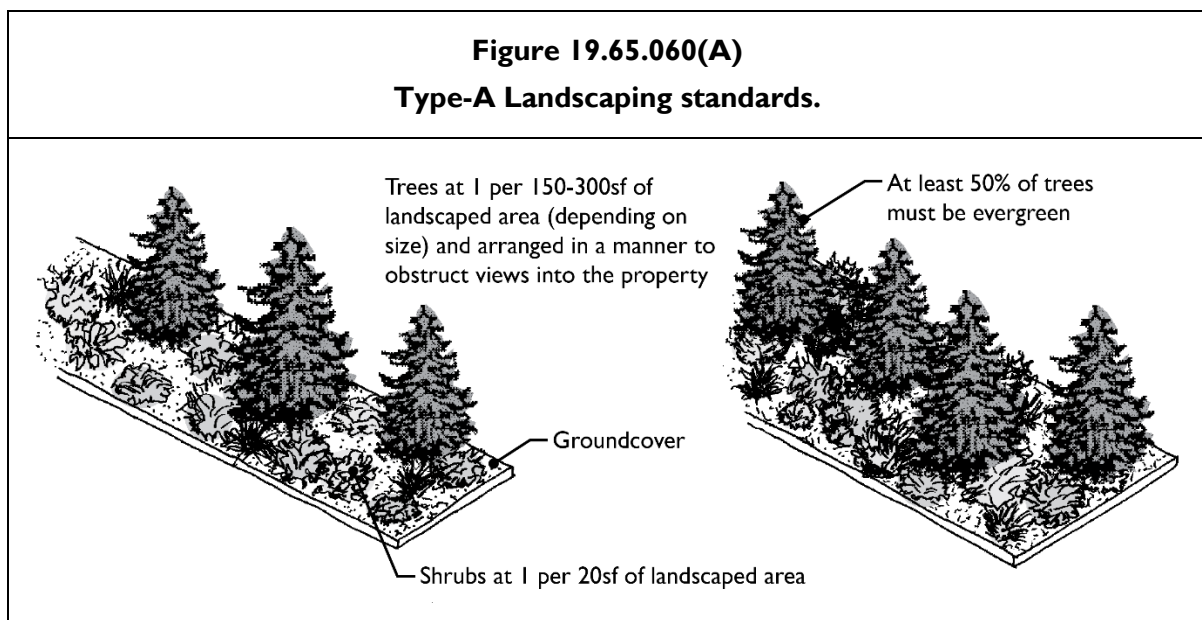
19.65.060 - Landscaping types.

Below are the planting and design requirements for specific landscaping types. These landscaping types apply when required by different sections of code within this chapter and elsewhere in this division.

A. Type-A Landscaping.

1. **Purpose.** Type-A Landscaping functions as a full screen and visual barrier. This landscaping is typically found between residential and nonresidential areas for screening unwanted views.
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.
 - e. **Species** diversity: Trees and shrubs must comply with AMC 19.65.050(E).

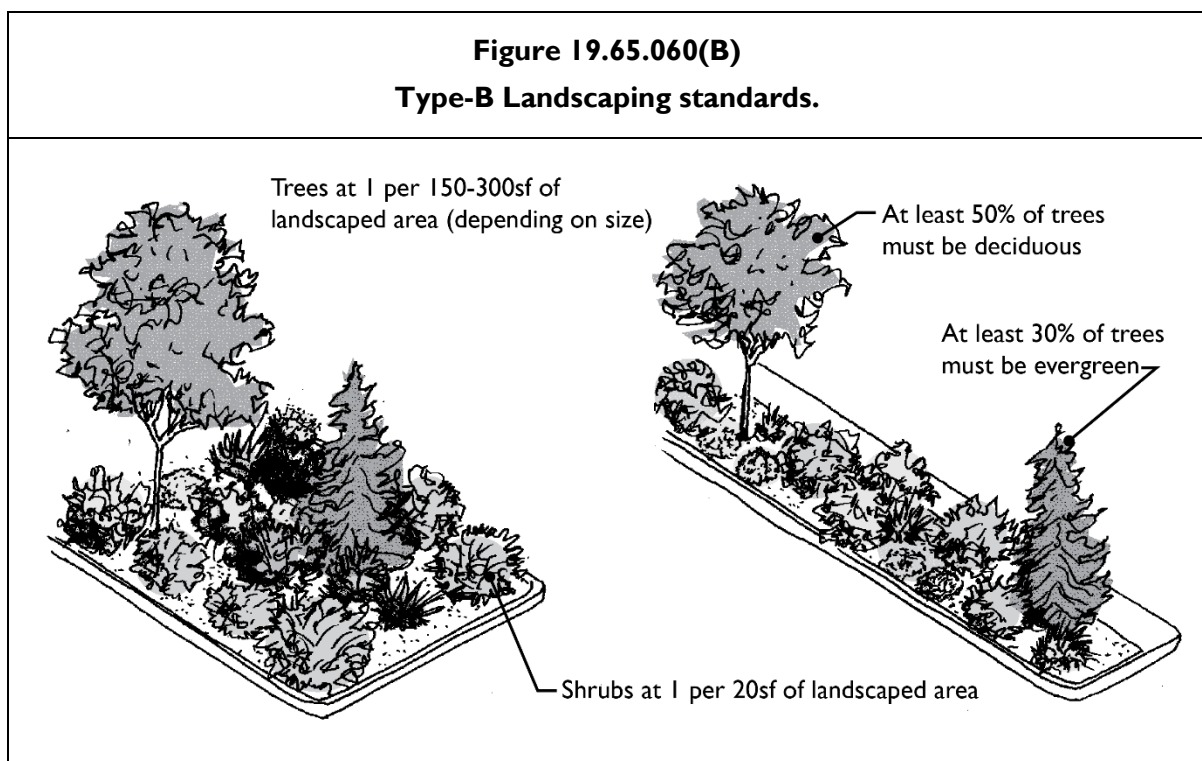
DEPARTURES that vary from the planting requirements of subsection (3) will be considered provided the proposal meets the screening requirement of subsection (2).



B. Type-B Landscaping.

1. **Purpose.** Type-B Landscaping is a “filtered screen” that functions as a visual separator. This landscaping is typically found between differing types of residential development and used for screening unwanted views from the pedestrian environment.
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)(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: 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).

DEPARTURES that vary from the planting requirements of subsection (3) will be considered provided the proposal meets the screening requirement of subsection (2).

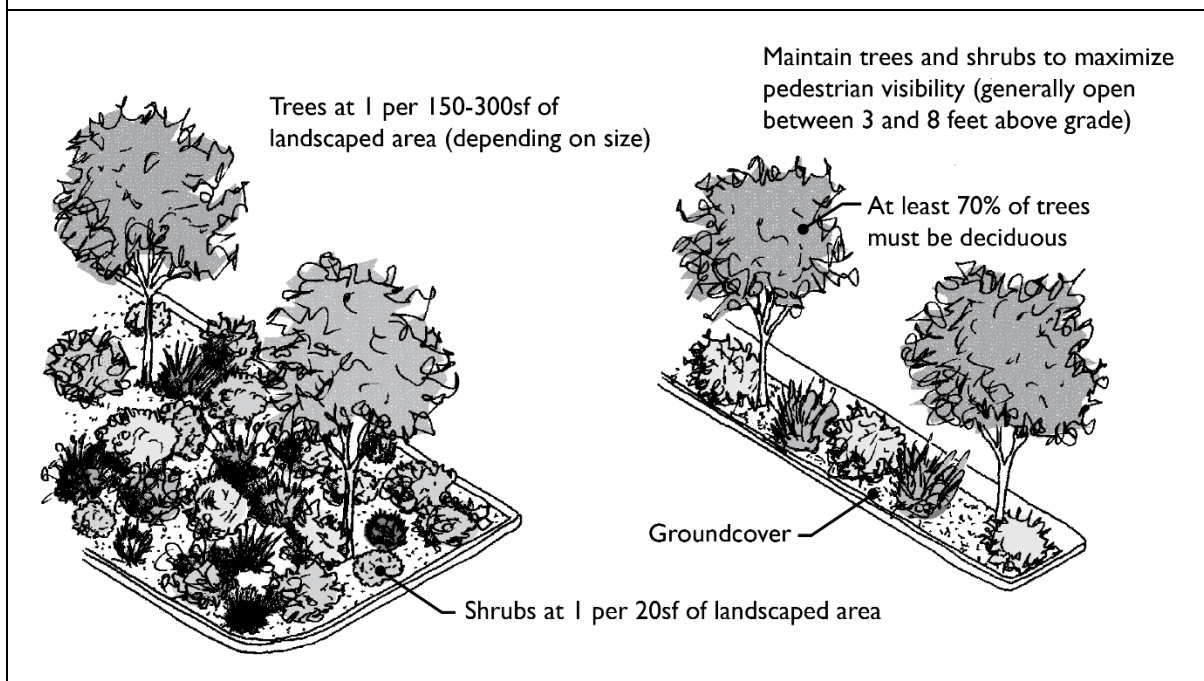


C. Type-C Landscaping.

1. **Purpose.** Type-C Landscaping is a “see-through screen” that functions as a partial visual separator to soften the appearance of parking areas and building elevations. This landscaping is typically found along lot frontages or between multifamily developments.
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)(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: 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).

DEPARTURES that vary from the planting requirements of subsection (3) will be considered provided the proposal meets the screening requirement of subsection (2).

Figure 19.65.060(C)
Type-C Landscaping standards.



D. Type-D Landscaping.

1. Type-D Landscaping refers to all other landscaped areas that do not qualify as Type-A, B, or C Landscaping, a hedge, or rain garden. While native and low maintenance trees and shrubs are encouraged in these areas, lawn areas may be used for recreational or design purposes. These areas may also include flower beds and perennial beds.
2. Type-D Landscaping may include any combination of plant materials provided they comply with the plant materials standards in AMC 19.65.050.

E. Type-E Landscaping - Low hedge.

A low hedge is intended to function as an attractive visual divider of space rather than a visual buffer between uses and properties. To qualify as a hedge landscaping type, the planting must be at least 30-inches wide and 30-inches tall. The hedge include plant materials that typically grow no taller than five-feet at maturity or are maintained between 30-inches and 48-inches tall.

Figure 19.65.060(E)
Low hedge examples.

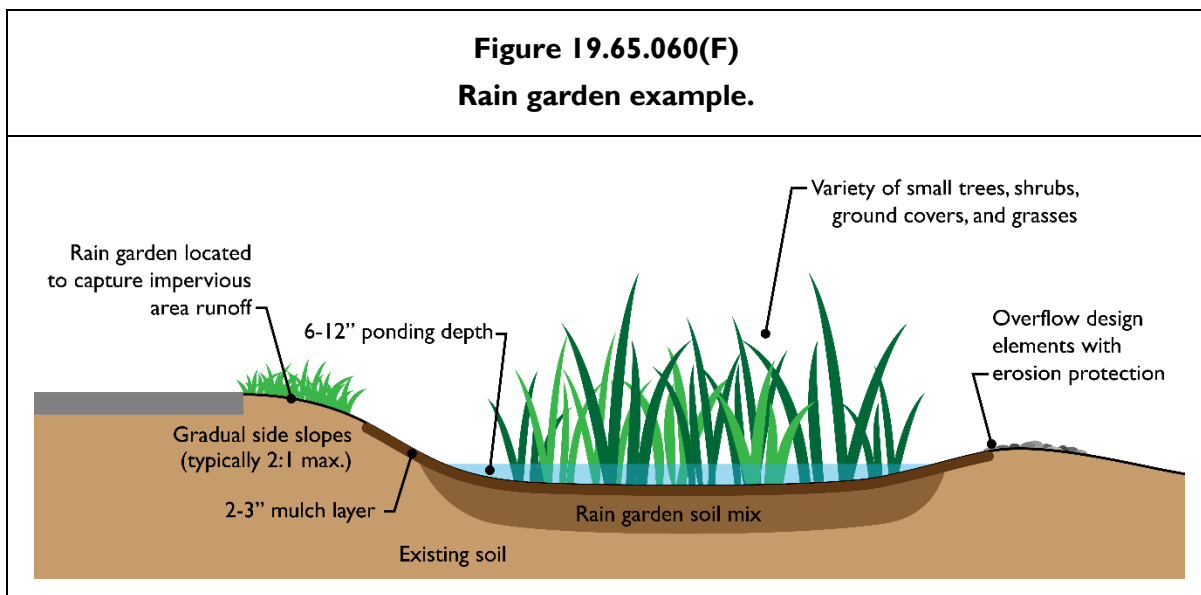


F. Type-F Landscaping - Rain garden.

1. A rain garden is a **non-engineered** planted depression that collects, absorbs, and filters rain water runoff from impervious areas. **They are sized to accommodate temporary ponding and are not meant to be permanent ponds.** They can also function as an attractive visual divider of space. To qualify as a rain garden, the following elements must be included:
 - a. Garden is located and designed to capture impervious area runoff.
 - b. **Six** to 12-inch ponding depth.
 - c. Two to three-inch mulch layer.
 - d. Gradual side slopes (typically **2:1 maximum**).
 - e. Overflow design elements with measures to **prevent** erosion.
 - f. Generous plantings of a variety of small trees, shrubs, ground covers, and grasses. Select plants suitable for the planting zones within the garden and around the perimeter.

Refer to the current Rain Garden Handbook for Western Washington for further guidance on rain garden location, design, planting, construction, and maintenance. Compliance with the current Stormwater Management Manual for Western Washington (SWMMWW) may alter these requirements.

2. The applicability of rain gardens in site design will be determined by project size and flow control exemptions based upon Minimum Requirement #5 of the Western Washington Phase II municipal stormwater permit.



19.65.070 - Landscaping site design standards.

A. Required buffer standards. Screening between certain uses may be called for in Table 19.65.070(A) below or elsewhere in this title. Interpretation of Table 19.65.070(A):

1. Where mature trees and vegetation exists within the required buffer areas, the preservation of said mature trees and vegetation may be preferable to new plant materials. The director may require any of the following to better ensure the survival of existing mature trees and vegetation:
 - a. Augment existing plantings with new plant materials to meet the purpose of the standards,
 - b. Require wider buffers to better ensure the survival of existing mature trees and vegetation. This must be accompanied by use of a buffer averaging approach in which the buffer may be reduced in other locations to achieve, on average, the minimum buffer width required in Table 19.65.070(A) or elsewhere in this title.
 - c. Other supplemental planting conditions.
2. The letters A, B, C, D, E, and F refer to the landscape types described in AMC 19.65.060. Where more than one buffer type is referenced in a cell, one of the subject buffer types is required. The term “All” means that any of the landscaping types may be used.
3. The term “Fence” refers to the requirement of a six-foot high sight-screening fence. Such fences must comply with the provisions of AMC Chapter 19.66 Fences, Walls, and Hedges.
4. Where the cells are empty, there are no landscaping buffer requirements for the particular situation.
5. The numbers refer to the minimum required width of the required landscaping buffer.
6. Where superscript numbers are included in a cell, see the corresponding note matching the number below the table.
7. The screening elements must extend along the entire property line between the uses/properties except where precluded by structures, driveways, or similar obstructions.
8. Where the developing use is across the street from an existing abutting use or zone, only the buffer type listed for the abutting street is required.
9. DEPARTURES. Alternative buffer treatments may be approved per AMC 19.20.220 for any of the buffer types required below, provided they meet the purpose of this chapter.

Table 19.65.070(A)						
Required buffer types.						
Developing use	Existing abutting uses and zones					
	Street	R1, R2, R2A zones¹	R3, R3A, R4 & R4A zones or Multi-family use	C, CBD, MMU & CM zones¹	HM, MS, CM2, I LM & LMI zones	Park & trails
Multifamily	Note ²	Fence plus BC-5'	Fence or ABCDEF-5' or path ³	Fence or BC-5' or path ³	Fence plus ABC-10'	Fence or All-10' Note ⁴
Low intensity non-residential use ⁶	Note ²	Fence plus ABC-5'	Fence or AB-5'	See site planning standards in chapter 19.62		Note ⁵

Table 19.65.070(A) Required buffer types.						
	Existing abutting uses and zones					
	Street	R1, R2, R2A zones ¹	R3, R3A, R4 & R4A zones or Multi-family use	C, CBD, MMU & CM zones ¹	HM, MS, CM2, I LM & LMI zones	Park & trails
Developing use						
Moderate intensity non-residential use ⁷	Note ²	Fence plus ABC-10'	Fence plus ABC-5'			Note ⁵
High intensity non-residential use ⁸	Note ²	Fence plus ABC-15'	Fence plus ABC-10'			Note ⁵
Outdoor storage	Note ² plus A-10'	Fence plus ABC-10'	Fence plus ABC-10'	Fence or A-5' or B-10'		Fence plus ABC-5' or A-10'
Heavy industry	Note ²	Fence plus ABC-20'	Fence plus ABC-20'	Fence plus ABC-5' or A-10'	Fence plus ABC-5' or A-10'	Fence plus ABC-10' or AB-20'

Notes:

1. Where the abutting use meets the definition of multifamily, the developing use is subject to the landscape buffer type under the multifamily use column.
2. For landscaping between developing uses and streets, see the applicable block frontage map for the property in AMC 19.61.040 and the corresponding block frontage standards in AMC Chapter 19.61 Block Frontage Standards. Multifamily uses in residential zones are subject to the landscape block frontage standards in AMC 19.61.070.
3. A paved or gravel pathway separating the properties/uses. Landscaping planters at least three-feet wide separating the pathway from buildings (or other effective visual transitions between the pathway and building as determined by the director) is required.
4. For developing multifamily uses adjacent to parks and trails, the director may adjust requirements to emphasize buffer types that enhance visibility between the developing use or focus more on visual screening depending on the context of the park or trail and type of developing use.
5. See AMC 19.61.120 for trail block frontage standards.
6. "Low-intensity non-residential use" is a small scale commercial use or development (as defined in AMC Chapters 19.44-46). This includes uses and/or developments with less than 25,000-square-feet of gross floor area and containing no outdoor storage along a site edge requiring a landscape buffer in this section.
7. "Moderate-intensity non-residential use" includes uses and/or developments that are moderate in scale and intensity. This includes uses and/or developments that don't qualify as a low-intensity non-residential use (either they are too large or have some outdoor storage areas along the site edge requiring a landscape buffer in this section) or a high-intensity non-residential use (not large enough or don't meet the use qualifications).
8. "High-intensity non-residential use" includes uses and/or developments with over 120,000-square-feet of gross floor area or are classified as an industrial use per AMC Chapter 19.45 Industrial Uses.

B. Supplemental buffer standards.

1. For screening requirements for service areas and mechanical equipment for non-residential and multifamily development, see AMC 19.62.070.
2. Required buffer vegetation must be planted within the property boundaries. However, additional plantings above the minimum requirement may extend into the right-of-way per AMC 19.65.070(F).
3. The height of any screen material required by this chapter in the vicinity of a point of ingress and egress may not exceed 2-1/2-feet in height within the clear-vision triangle (AMC 19.69.070).

C. Trees and block frontage landscaping.

1. Non-residential and multifamily developments must include landscaping between the sidewalk and building or parking areas in conformance with this chapter. Exceptions are allowed for pedestrian and vehicular access, pedestrian-oriented space, utility elements, and permitted signage.
2. Where buildings are setback at least 15-feet from a street property line, trees must be planted at an average of 30-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.
3. Trees utilized in these planting areas must minimize conflict with underground and overhead utilities. Trees to be utilized must be from the approved list of recommended plant materials or an approved equivalent.

D. Parking lot landscaping.

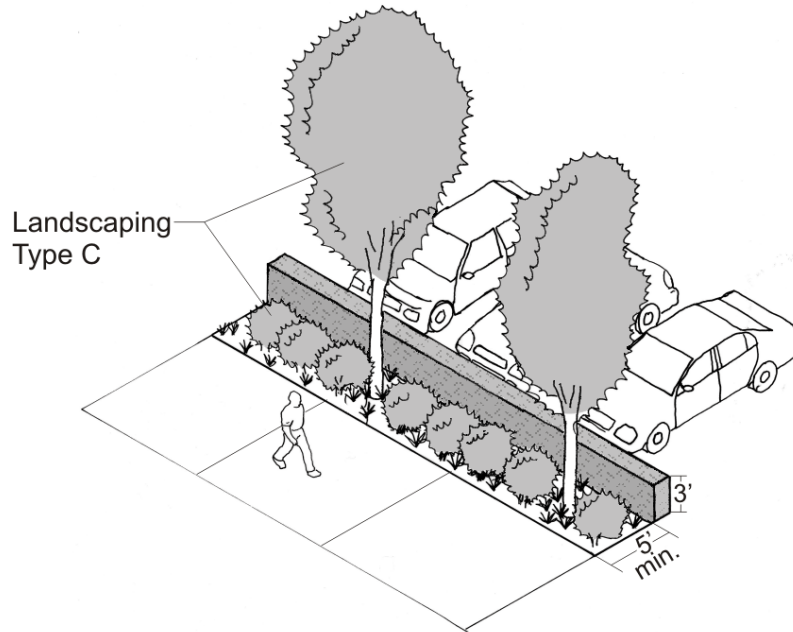
1. Purpose. The purpose of parking lot landscape development is to soften the visual effect created by large expanses of barren asphalt.
2. Required area. Planting areas in new parking areas with 20 or more spaces or in upgraded or improved parking areas with 20 or more spaces must constitute at least five-percent of the parking area.
3. Minimum width and length. Planting areas must have a minimum average width of ten-feet (measured inside the curb) and must be the same length as the parking stall or column.
4. Planting type: Type-C Landscaping must be used in required planting areas. Rain gardens may be integrated into planting strips provided they integrate the same number of trees as for Type-C Landscaping.
5. Distribution: Landscaped areas must be distributed throughout the parking lot.
6. Parking lot perimeters:
 - a. 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 via AMC 19.20.220 provided they meet the purpose of the standards noted above.
 - b. For parking lots along internal lot lines, use Type-A, B, or C Landscaping at least ten-feet deep, except where a greater buffer width is required per the standards in subsections (A) and (B). Where recorded cooperative parking agreements are in place between adjacent properties, sites must be exempted from the subject parking lot landscaping buffer.

DEPARTURES to this standard will be considered via AMC 19.20.220 provided they meet the purpose of the standards noted above. Examples of acceptable departures may include decorative low walls with landscaping, decorative elevated planters, landscaping with a trellis, a shared-access drive, or a shared pathway.

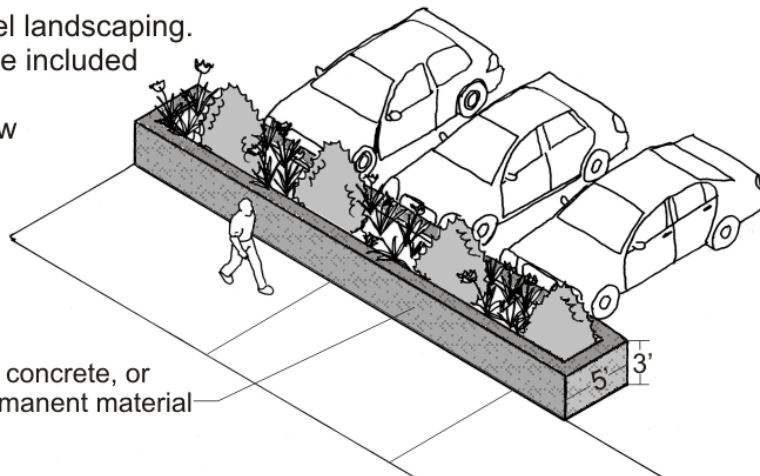
Figure 19.65.070(D)

Examples of alternative parking lot landscaping buffers.



Mixture of low level landscaping. Small trees may be included provided they are maintained to allow eye-level visibility between the sidewalk and the parking area

Masonry, concrete, or other permanent material



E. Existing site vegetation.

1. General. Applicants are encouraged to retain significant existing vegetation on the subject property. Significant existing vegetation means deciduous and evergreen trees at least six-inches in diameter at a point five-feet above the ground.
2. Bonus for retention. For each significant tree as defined in subsection (E)(1) of this section, the applicant may measure the canopy of the tree and receive a bonus of 200-percent of the square-footage of the canopy to count as landscaped area for the purpose of complying with the standards for the applicable zone in AMC Chapter 19.42 Form and Intensity Standards, provided that the soil within the drip line of the tree is undisturbed, root systems are protected from damage, and approved methods are utilized to ensure proper irrigation.
3. Required review. The city will review the proposed retention of significant existing vegetation as part of the application for development. Any bonus for retention must be approved only after on-site inspection.
4. If any tree used for bonus credit is removed or lost, it must be replaced promptly with the same species or an approved substitute under AMC 19.65.080(C), at a ratio of three replacement trees at least 12-feet in height for each bonus tree lost.

F. Use of right-of-way.

In addition to the required planting areas above, landscaping of excess (unused) street and alley right-of-way and/or stormwater detention facilities is encouraged.

1. Excess right-of-way is defined as the area of an undeveloped alley or street right-of-way, or the area between the property line and the street pavement, whether or not it contains a sidewalk.
2. All landscaping materials proposed to be installed in the right-of-way must be reviewed to ensure that traffic safety considerations are met and future sidewalks can be added if they do not currently exist.
3. Irrigation or sprinkling systems are subject to the standards in AMC 19.65.090
4. Maintenance of landscaping in the right-of-way must be the responsibility of the adjacent property owner; provided, however, that nothing in this section must create or imply any interest of the property owner in the excess right-of-way, and provided further, that in the event the city must undertake to utilize the excess right-of-way, any landscaping must be removed by the property owner at their sole expense, or if not so removed may be destroyed by the city.

G. Special Fire Department standards.

1. Landscaping in the vicinity of any fire hydrant, Fire Department sprinkler connection or standpipe connection should not prevent such equipment from being immediately discernible nor in any other manner deter or hinder the Fire Department from gaining immediate access to the equipment. Subsections (H)(2) and (3) are guidelines for the landscaping around the equipment, with final approval from the city fire marshal.
2. Fire hydrants.
 - a. Fire hydrants must be free from obstruction on all sides by a minimum clearance of three-feet.
 - b. Fire hydrants along streets, driveways, parking lots, fire access routes (fire lanes), or at intersections must be visible for at least 100-feet in all directions along such streets, driveways, access routes or intersections. No plants or shrubs with a height of over 18-inches and no tree with branches or foliage below five-feet must be allowed in this sight visibility area.

3. Sprinkler and standpipe connections.
 - a. Fire Department connections for sprinklers and standpipes must be free from obstructions on all sides by a minimum clearance of three-feet.
 - b. When a Fire Department connection is over 25-feet from a street, driveway, parking lot or fire access route, there must be maintained a clear path with minimum width of three-feet between the Fire Department connection and the street, driveway, parking lot or fire access route.

H. Stormwater detention ponds must have at least ten-foot setbacks from adjacent property lines and must be landscaped in compliance with this chapter.

19.65.080 - Maintenance.

- A. The owners of the property and their agents, heirs, or assigns must be responsible for maintaining all required landscaping and screening areas in a healthy, growing condition.
- B. All landscaping and screening areas must be maintained reasonably free of weeds and trash, must be treated for pest/diseases in accordance with the approved landscape plan, and must be maintained so as to prevent mulch, straw, dirt, or other materials from washing onto streets, sidewalks, and adjoining properties.
- C. Any dead, unhealthy, or missing vegetation, or vegetation disfigured by severe or excessive pruning, unusual weather occurrence or natural catastrophe, or other natural occurrence such as damage by wild or domestic animals, must be replaced with equivalent vegetation that conforms to the plant materials and installation standards in AMC 19.65.050, other applicable standards of this title, and the approved site and/or subdivision plan.
- D. Any engineered soil amendments must be maintained to continue the original function of stormwater best management practices.

19.65.090 - Irrigation standards.

The purpose of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering.

All required landscaped areas in the city must comply with at least one of the following:

- A. A permanent built-in irrigation system with an automatic controller will serve the proposed landscape area, and the system will be installed and operational before the city grants an occupancy permit or final inspection for the development.
- B. A temporary irrigation system will serve the proposed landscape area, provided the applicant can successfully demonstrate that the proposed temporary irrigation system will provide sufficient water to ensure that the plant materials to be planted will survive installation and, once established, will survive without watering other than natural rainfall.
- C. A permanent or temporary irrigation system will not serve the proposed landscape area, provided:
 1. The director finds the landscape area otherwise fulfills the requirements of this section, and
 2. The applicant submits all of the following with the site plan application:
 - a. A statement from a Washington state licensed landscape architect or Washington-Certified Professional Horticulturalist (CPH) certifying that the materials to be planted will survive without watering other than natural rainfall.

- b. A plan for monitoring the survival of required vegetation on the approved site plan for at least one year and for detection and replacement of required vegetation that does not survive with like-kind material or other material approved by the reviewing authority.
- c. A statement from the applicant agreeing to install an irrigation system if the reviewing authority finds one is needed to ensure survival of required vegetation, based on the results of the monitoring plan.

19.65.100 - Performance assurance/bonding.

In the event that landscaping improvements cannot be installed prior to formal certificate of occupancy, a cash deposit, letter of credit or other assurance acceptable to the city equal to 150-percent of the estimated construction costs must be required. Such deposit must be accompanied by a letter which stipulates completion of all landscape development no later than the next autumn planting season following issuance of the certificate of occupancy or date of final approval, whichever is later. If these conditions are not met, the city may use the deposit to install the landscaping.

Chapter 19.66 - FENCES, WALLS & HEDGES

Sections:

19.66.010 - Purpose.

19.66.020 - Applicability.

19.66.030 - Fences, walls, and hedges for residential zones.

19.66.040 - Fences, walls, and hedges for mixed-use and industrial zones

19.66.050 - Fence, wall, hedge, and rockery measurements.

19.66.060 - Fence and wall location and maintenance.

19.66.070 - Fence types prohibited.

19.66.080 - Retaining walls and rockeries.

19.66.010 - Purpose.

The purpose of this chapter is to:

- A. Protect life and secure property while protecting the public from hazardous fences and walls.
- B. Increase visibility in appropriate circumstances by using the principles of Crime Prevention Through Environmental Design (CPTED) to increase public safety and to deter crime.
- C. Promote and enhance Anacortes neighborhoods as walkable places and reduce impacts on the pedestrian experience that may result from taller fences and walls.

19.66.020 - Applicability.

This chapter applies to all fences, walls, and hedges, of whatever nature and wherever located, within the City.

19.66.030 - Fences, walls, and hedges for residential zones.

- A. Height and design standards by location.** Table 19.66.030 provides height and transparency standards for fences, walls, and hedges for residential uses and zones. Figure 19.66.030(A) provides clarification on the location of fences, walls, and hedges associated with the standards in Table 19.66.030.

Figure 19.66.030(A)

Clarification on the location of fences, walls, and hedges associated with the standards in Table 19.66.030.

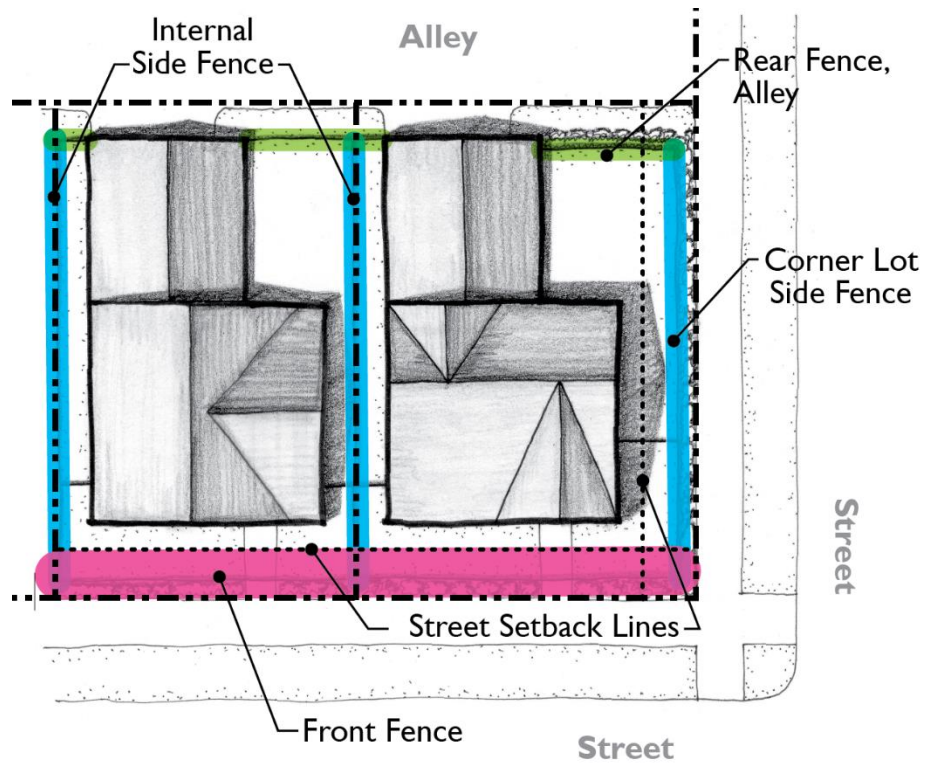


Table 19.66.030 Height standards for fences, walls, and hedges in residential zones by location.			
Location		Maximum height	Maximum height for homes with accessory daycare uses
Front	Within the street setback	42"	54", and any portion above 42" must be at least 50-percent transparent
	Elsewhere between the façade and street property line	7'	7'
Side	Corner lot – side fence, within 5-feet of any street property line	42"	54", and any portion above 42" must be at least 50-percent transparent
	Corner lot – side fence, more than 5-feet from any street property line	7'	7'
	Along/near any internal side property line	7'	7'
Rear	Along/near rear property line with or without an abutting alley	7'	7'
	Through lots – within 5' of a street property line	42"	54" within 5' of the property line, and any portion above 42" must be at least 50-percent transparent
	Through lots –5' or more from street property line	7'	7'

Figures 19.66.030(B) through (D) below provide acceptable and unacceptable examples of fences, walls, and hedges.

Figure 19.66.030(B)

Acceptable fences, walls, and hedges for the street setback for residential zones.



The left image uses a picket fence. The right image uses a low wrought iron fence.



The left image uses a low masonry retaining wall and the right image uses a low hedge.

Figure 19.66.030(C)

Unacceptable fences, walls, and hedges for the street setback for residential zones.



The fence and hedge are both taller than the maximum 42-inch height.

Figure 19.66.030(D)

Acceptable and unacceptable side fences on corner lots in residential zones or along through lots where the rear setback abuts a street.



The left example is a low picket fence. Taller fences like that in the middle image are acceptable along the side and rear setback, but are not allowed within 5-feet of a property line. The right image shows an acceptable example where the fence is setback from the sidewalk to allow space for landscaping.

B. Fences for accessory recreational uses and non-residential uses in a residential zone.

Fences or walls used in conjunction with an accessory to a residential use must meet the following requirements:

1. Fences that are used to enclose recreational facilities accessory to multi-family uses may be up to 12-feet in height provided they are not built within the minimum required setbacks.
2. The director may allow taller fences (than referenced in Table 19.66.030) for permitted non-residential uses in residential zones provided they are necessary for security purposes and the design of the fences meets the purposes of the standards.

19.66.040 - Fences, walls, and hedges for mixed-use and industrial zones.

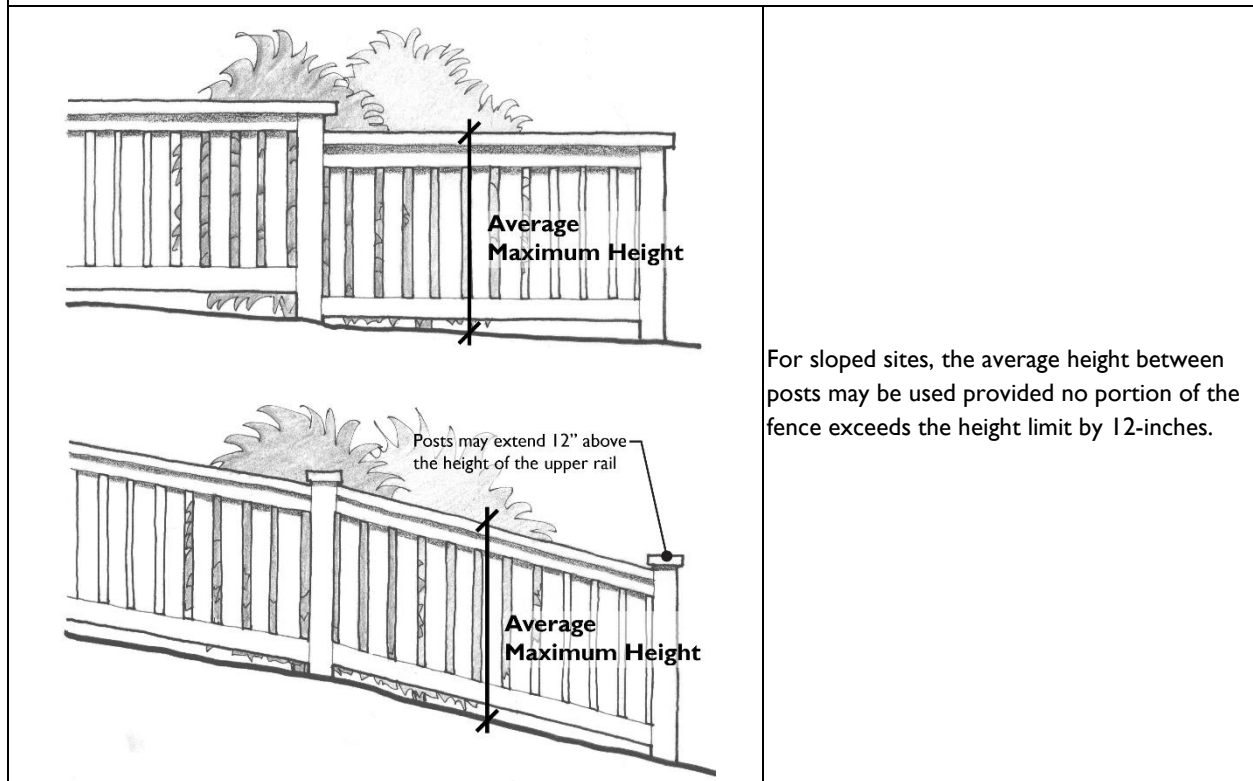
- A. Fences within the street setback:
 - 1. Fences within the street setback area are subject to applicable block frontage standards in AMC Chapter 19.61 Block Frontage Standards.
 - 2. Supplemental street setback standards: Fences less than 10-feet from a property line are limited to 42-inches in height. **Exceptions:**
 - a. Day care uses are allowed fences up to 54-inches tall in this area, provided the portion of the fence above 42-inches is at least 30-percent transparent.
 - b. **Within the industrial zones, this provision only applies to sites across the street the CBD zone or a residential zone.**
- B. Fences may be required along the side and/or rear property lines as a required buffer feature depending on the proposed use and existing abutting uses and zone per Table 19.65.070(A).
- C. The maximum height for fences and walls is seven-feet. The director may allow taller fences provided they are necessary for functional and security purposes and the design of the fences meets the purposes of the standards.

19.66.050 - Fence, wall, hedge, and rockery measurements.

Fence, wall, hedge, and rockery height must be measured from the finished grade to the top of the fence as shown in Figure 19.66.050. Where fence, walls or hedges feature varying heights of finished grade on opposite sides of the fence, wall or hedge, then the height must be measured from the side with the lower grade. Fence posts may exceed the height of the top rail by up to 12-inches. For sloped sites, the average height between posts may be used provided no portion of the fence exceeds the height limit by one foot.

Figure 19.66.050

Height measurements of fences and walls on sloped sites.



For sloped sites, the average height between posts may be used provided no portion of the fence exceeds the height limit by 12-inches.

19.66.060 - Fence and wall location and maintenance.

- A. No fence, wall, or other such structure, or hedge, over 36-inches in height may be placed within three-feet of any dwelling unit where such fence, wall, or hedge substantially interferes with access to such dwelling unit for fire and public safety purposes or substantially impairs the ability of an occupant of a dwelling unit to use windows and doors, as emergency exits.
- B. Where a fence, wall, or hedge forms a complete enclosure of an area adjacent to a dwelling or dwelling unit, a gate must be provided for emergency egress.

19.66.070 - Fence types prohibited.

- A. 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.
 - 3. Between a street right-of-way and the front of any residential building.

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.

- B. Electric fences are prohibited in all zones except R I zones and may be allowed only by the director for the purpose of containing animals in a permitted area. No electric fence may be allowed or maintained which does not conform to state electrical codes.
- C. Barbed wire and razor wire fences are prohibited in all zones.

Exceptions may be granted in the following conditions:

- 1. When barbed wire fences are pre-existing and are used to contain animals kept on a property continuously since 1999. In such cases at such time as animals are not kept in the fenced area for ninety days or more, the right to maintain these existing fences must be considered extinguished, and these fences must be removed within thirty days.
- 2. For sensitive public facilities operated by public agencies. The facility operator must demonstrate security needs cannot be reasonably met with other fence types. The director must consider the facility's location, hours of operation, volume of public visitors, and neighboring uses. Higher visitor volumes and visibility to the general public warrant greater application of the prohibition.

19.66.080 - Retaining walls and rockeries.

A. Building permit. A building permit is required for retaining walls or rockeries not exempted from permit by Section 105.2 of the International Building Code or the International Residential Code, AMC Chapter 19.14 International Codes.

B. Drainage control. Drainage control must be provided for the area behind retaining walls and rockeries.

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.

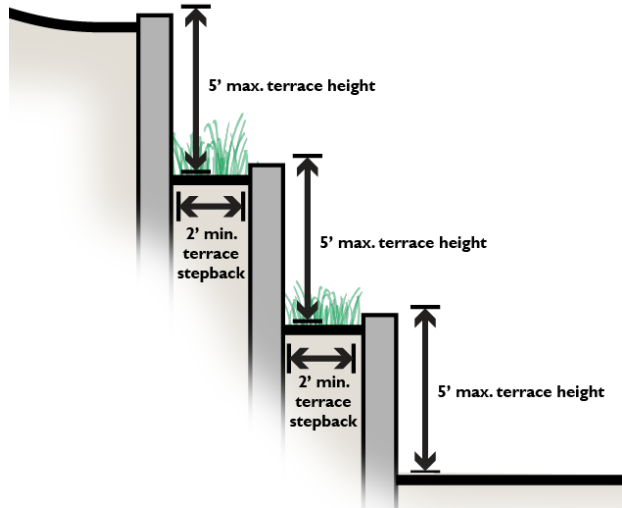
- 3. The director may require the retaining walls or rockeries to be designed by a structural engineer if drainage issues, unstable soils, or other structural concerns are present.

Figure 19.66.080(C)

Terracing standards for retaining walls and rockeries.



Terraced retaining wall example

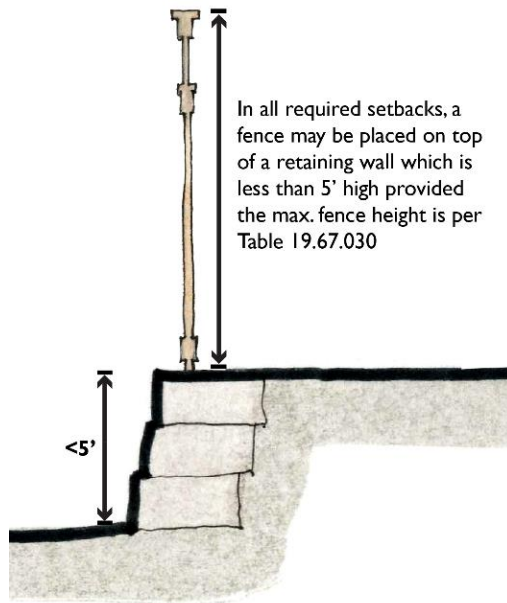


D. Standards for fences on and near retaining walls and rockeries.

- I. Retaining walls or rockeries less than five-feet in total height.
 - a. Fences may be located on top of retaining walls or rockeries provided the maximum fence height complies with Table 19.66.030.
2. Retaining walls or rockeries five-feet in total height or greater.
 - a. In required rear and side setbacks only, a fence may be placed on top of retaining walls and rockeries provided the total combined height of the retaining wall or rockery and the fence is less than 12-feet.
 - b. In all required setbacks, the total combined height of the retaining wall or rockery and the fence may be 12-feet or greater provided the fence is setback at least five-feet from the edge of the retaining wall rockery.

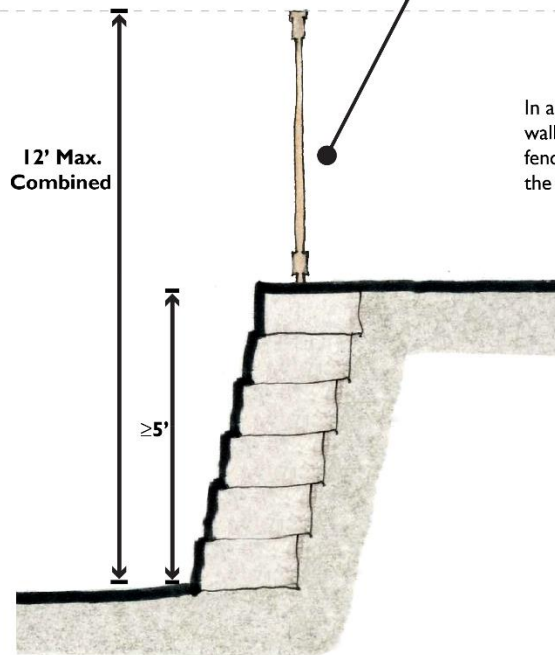
Figure 19.66.080(D)
Standards for fences on and near retaining walls.

Retaining Wall Less Than 5' High

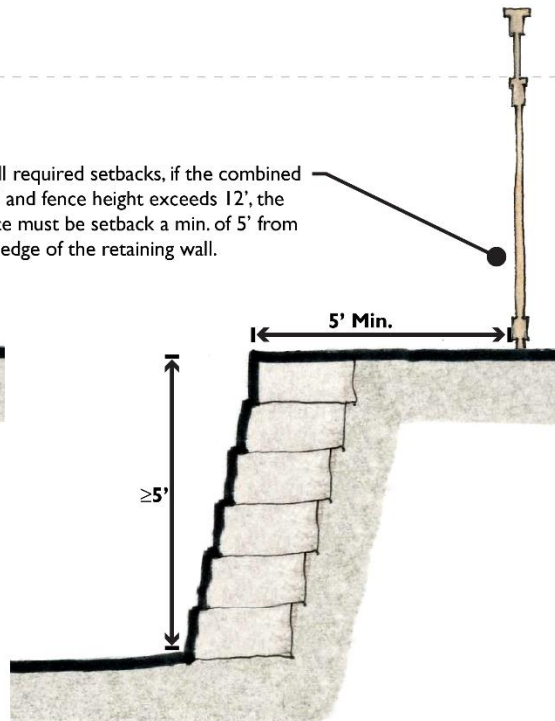


Retaining Wall 5' High or More

In required side and rear setbacks only, a fence may be on top of a retaining wall which is 5' high or greater; provided the max. height of the fence and wall combined is 12' or less.



In all required setbacks, if the combined wall and fence height exceeds 12', the fence must be setback a min. of 5' from the edge of the retaining wall.



E. Standards for large scale manufactured blocks used for retaining walls (e.g., ecology blocks or jersey barriers).

1. Such blocks are prohibited for construction of retaining walls in all residential zones, the CBD zone, and the C zone.
2. In all other zones, such blocks may be used for retaining walls provided retaining walls greater than four-feet in height incorporate decorative materials, stamped patterns, or other treatments which create visual interest approved by the director.

Chapter 19.67 - SIGNS

Sections:

- 19.67.010 - Purpose.
- 19.67.020 - Applicability.
- 19.67.030 - Sign definitions.
- 19.67.040 - General requirements.
- 19.67.050 - Measurement of sign area.
- 19.67.060 - Signs types and standards.
- 19.67.070 - Signs types permitted by zone.
- 19.67.080 - Supplemental freestanding sign standards.
- 19.67.090 - Supplemental building-mounted sign standards.
- 19.67.100 - Noncommercial speech signs.
- 19.67.110 - Temporary sign standards.
- 19.67.120 - Supplemental sign setback requirements.
- 19.67.130 - Nonconforming signs.
- 19.67.140 - Violations.
- 19.67.150 - Severability.

19.67.010 - Purpose.

The purpose of this chapter is to:

- A. Regulate the number, size, placement and physical characteristics of signs and sign structures.
- B. Promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor signs of all types.
- C. Promote economic development of the city's business districts and corridors.
- D. Ensure that signs are compatible with the desired character of Anacortes and its various districts and corridors.
- E. Enhance and protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape.
- F. Recognize free speech rights by regulating signs in a content neutral manner.
- G. Promote the free flow of vehicular traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting, and/or illegal signage.
- H. Prevent property damage, personal injury, and litter from signs which are improperly constructed, poorly maintained, or of flimsy materials.
- I. Provide consistent sign design standards.

19.67.020 - Applicability.

A. Applicability. This chapter applies to all signs erected or altered after the effective date of this code, except for those signs provided in subsection (C).

B. Interpretation.

1. This chapter is not intended to, and does not restrict speech on the basis of its content, viewpoint, or message.
2. Any classification of signs in this chapter that permits speech by reason of the type of sign, identity of the sign owner, or otherwise, must also be interpreted to allow non-commercial speech on the sign.
3. No part of this chapter may be construed to favor commercial speech over non-commercial speech.
4. To the extent any provision of this chapter is ambiguous, the term must be interpreted not to regulate on the basis of the content of the message.

C. Exemptions. The following signs are exempted from the regulations of this chapter:

1. Traffic signs, signals, wayfinding signs, and other traffic control devices erected by the City or other public authority.
2. Public notices pertaining to public health or safety issues, or for notification of legal or legislative action erected by the City or other public authority.
3. Permanent commemorative or memorial plaques and building nameplates less than six-square-feet in size, cornerstones, and other building identification markings carved into the building materials and which are integral parts of the structure. Signs that advertise the name of the building and not associated with the name of any individual business are addressed in AMC 19.67.090(A)(6).

Figure 19.67.020(C)(3)
Memorial plaque example.



4. Signs within buildings, provided they are not legible from a distance of more than three-feet beyond the building on which the sign is located.

5. Incidental signs intended for public information or convenience and which consist of no more than two-square-feet per sign face. These may include restroom signs, hours of operation signs, address numbers, help wanted, credit card signs, and similar.
6. The American flag, State of Washington flag, and other political or special purpose flags that are not intended to contribute to a commercial advertising display.
7. Wall graphics of an artistic nature and that do not conform to the definition of "sign."
8. Noncommercial speech signs meeting the provisions in AMC 19.67.100.
9. Signs not readable from public or private right-of-way or waterway.
10. Signs intended for general public information, such as bulletin board/kiosk, that accommodate changeable copy such as private or public notices, special event information, and other short-term messages, at a scale suitable for pedestrians and not intended to be read by passing motorists, and not for commercial advertising purposes.
11. Holiday and community special event decorations that do not display a commercial message.
12. Signs on athletic fields and scoreboards intended for on-premises viewing.
13. Signs located on public parks, public trails and designated public open space, including any such parks, trails and open space open to the public, whether owned and maintained by the City or by another entity.
14. Signs located on any other city-owned property not specifically addressed in this chapter.
15. Point-of-purchase advertising displays such as product dispensers.
16. Any sign on a vehicle, unless such vehicle is regularly parked in any prominently visible location from public right-of-way or other public space for the primary purpose of attracting public attention to the sign, which is prohibited pursuant to AMC 19.67.040(A)(8).

19.67.030 - Sign definitions.

"A-board" means a temporary, portable, double-sided sign of basic self-supporting design. A-board signs may also be referred to as "A-frame" or "sandwich board" signs.

"Advertise" means to describe or draw attention to a product, service, or event in a public medium in order to promote sales or attendance.

"Building-mounted sign" means a sign affixed to a building, painted directly on a wall, or erected against the wall of a building.

"Conforming sign" means a sign which meets the specifications of this chapter.

"Copy" means the graphic content or message of a sign.

"Feather sign" means a temporary and portable sign made of light-weight materials that is prone to move in the wind, and that contains a harpoon-style pole or staff that is driven into the ground or supported by means of an individual stand. This definition includes such signs of any shape including flutter, bow, teardrop, rectangular, shark, and U-shaped.

"Freestanding sign" means a permanent sign anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports, and not attached to or dependent for support from any building.

“Incidental sign” means sign depicting products, services, or activities directly related to the business within. These are permitted provided the incidental sign is not on an “A” board or a sign on the marquee or a sign under the marquee.

“Internal way-finding sign” means a type of freestanding sign used to aid customers in circulation within parking lots of commercial uses. These signs could come in the form of monument, pylon, post & arm, or wall sign types.

“Marquee/awning sign” means a type of building-mounted sign that is either attached to, affixed to, or painted on a marquee, awning, or canopy.

“Monument sign” means a type of freestanding sign which is attached to the ground by means of a wide base of solid appearance.

“Permanent sign” means a stationary sign permanently attached to the ground or to a structure.

“Pole sign” means a type of freestanding sign supported by one vertical pylon, and subject to the same regulations as a freestanding sign.

“Portable sign” means a nonpermanent, easily movable sign.

“Post & arm sign” means a type of freestanding sign supported by a post and arm.

“Projecting sign” means a type of building-mounted sign extending outward from the face of the building.

“Pylon sign” means a type of freestanding sign mounted on two posts.

“Real estate signs” means signs used for the purpose of marketing real property as opposed to identifying place of business.

“Sign” means any communication device, structure, or fixture which is intended to identify a building, use, business, or event; or to promote the sale of products, goods or services; using graphics, letters, figures, symbols, trademarks or written copy. Painted wall designs or patterns which do not represent a product, service or registered trademark, and which do not identify the user, are not considered signs.

“Sign copy” means any graphic, word numeral, symbol, insignia, text, sample, model, device or combination thereof which is primarily intended to advertise, identify, or notify.

“Standing sign” means a double-sided, portable sign mounted on a pedestal.

“Temporary signs” means conforming signs permitted for a specified period of time.

“Under-canopy sign” means a type of building-mounted sign attached to the underside of an awning, canopy, balcony or arcade.

“Wall sign” means a type of building-mounted sign painted directly on the wall, attached to, or erected against the wall of a building or structure with the exposed face of the sign parallel to the plane of such wall.

“Window sign” means a sign that can be observed by the general public as displayed in or applied to the transparent or translucent window and door areas of a building.

19.67.040 - General requirements.

- A. Sign location restrictions.** Except where specifically authorized by this chapter, signs are prohibited in the locations described below. Prohibited signs are subject to removal (except nonconforming signs as defined by this chapter) by the city at the owner’s expense.

1. Any temporary or permanent freestanding sign located within or projecting over a city right-of-way or within five-feet of a city right-of-way, unless otherwise noted in this chapter.
2. Any sign attached to any public utility pole, structure or street light, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, statue, memorial, or other location on public property, except those signs approved as part of a special event permit on city property or banner signs permitted by the city on light poles in certain zones within the city. Nothing in this section must be construed to prohibit a person from holding a sign while located on public property so long as the person holding the sign is located on public property determined to be a traditional public forum and does not block ingress and egress from buildings or create a safety hazard by impeding travel on sidewalks, bike and vehicle lanes, and trails.
3. Any sign, which by reason of its location, will obstruct the view of any authorized traffic sign, signal, or other traffic control device or which by reason of shape, color, or position interferes with or could be confused with any authorized traffic signal or device
4. Any sign which is placed so as to prevent or inhibit free ingress to or egress from any door, window, or any exit way required by the building and/or fire code currently in effect.
5. Any commercial, advertising, or business sign that is not located on the premises of the business to which it refers.
6. No sign may be placed on the roof of any building.
7. No portable or temporary sign may be placed on the front or face of a building or on any premises except as authorized in AMC 19.67.110 Temporary sign standards.
8. Placement on private property for more than ten days in any 90-day period of any truck, boat, trailer or other vehicle or vehicle part which has affixed thereto any commercial advertising message not pertaining to the legally permitted use carried on within such property is prohibited.

B. Sign display restrictions.

1. Purpose. The purpose of this subsection is to regulate the manner in which signs convey their messages by specifying prohibited display features that create distractions to the traveling public and create visual clutter that mar the natural and architectural aesthetics of the city.
2. Applicability. The display features described below are prohibited. Prohibited signs are subject to removal (except legal nonconforming signs as defined by this chapter) by the city at the owner's expense.
 - a. Any sign or lighting device, whether on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel, or from any public right-of-way, with intermittent, flashing, rotating, blinking or strobe light illumination.
 - b. Any sign with an exposed light source, except for neon incorporated into the design of the sign.
 - c. Any sign which emits sound, odor, smoke, laser or hologram lights, or other visible matter, including any sign that uses motion picture projection.
 - d. Any sign animated by any means, including fixed aerial displays, balloons, pennants, spinners, including strings of flags, streamers, tubes, or other devices affected by the movement of the air or other atmospheric or mechanical means, except for:
 - i. Signs exempted from this chapter as established in AMC 19.67.020.
 - ii. Temporary signs as provided for in AMC 19.67.110.

- e. Any sign in which the sign body or any portion of the sign rotates, moves up and down, or any other type of action involving a change in position of the sign body or any portion of the sign, whether by mechanical or any other means, except for signs exempted from this chapter as established in AMC 19.67.020.
- f. Digital and other changeable copy signs, except as provided for in Table 19.67.040(C)(2) and AMC 19.67.080(D) for certain freestanding signs.
- g. Mannequins holding a sign or displaying advertising, whether stationary or animated, except within a building as part of a window or interior display.

C. Sign illumination.

- I. General illumination standards.
 - a. Indirect sign illumination must be no further away from the sign than the height of the sign.
 - b. Externally illuminated signs must be arranged so that no direct rays of light are projected from such artificial source into residences, business or any street right-of-way.
 - c. External sign light fixtures must complement the design of the sign and building façades or structures associated with the sign.
 - d. External sign lighting must be “full cutoff” and must not result in direct illumination of the sky and adjacent properties and structures, and must be designed to minimize reflected glare to adjacent properties and structures.
2. Permitted sign illumination types. Table 19.67.040(C)(2) below specifies permitted sign illumination types by zone.

Table 19.67.040(C)(2)			
Permitted signs illumination types.			
Illumination Type		Permitted zones	Other requirements
Channel letter. Light is emitted through the front or face of the letters.		All mixed-use and industrial zones, except CBD	May be incorporated into a permitted wall, pole, or monument sign
Reverse channel letter. Letter faces are opaque and light source provides halo effect through backlighting.		All mixed-use and industrial zones and the MED-O zone	May be incorporated into a permitted wall, pole, or monument sign
Push-through. Letters are cut out of opaque sign face. Interior light shines through letter faces only.		All mixed-use and industrial zones and the MED-O zone	May be incorporated into a permitted wall, pole, or monument sign

Table 19.67.040(C)(2)
Permitted signs illumination types.

Illumination Type		Permitted zones	Other requirements
Neon.		All mixed-use and industrial zones	May be incorporated into a permitted wall, projecting, window, pole, or monument sign
Internally-illuminated cabinet signs. Sign face is illuminated through translucent casing. This includes internally illuminated changeable copy signs.		LM, LMI, MS, I & HM	May be incorporated into a permitted wall, pole, pylon, or monument sign
Digital message signage.		All mixed-use and industrial zones, except CBD	Only allowed to be integrated on permitted monument and pole signs per AMC 19.67.080(D)
Internally-illuminated awning signs. Awning face is illuminated through awning material.		Not allowed in any zone	
Externally-illuminated sign.		All zones	Illumination techniques must focus the light on the sign and avoid glare to the sky, streets, sidewalks, and other public spaces, and adjacent uses.

E. Sign materials, structural, and electrical restrictions.

1. Except flags, temporary, and portable signs, and window signs conforming in all respects with the requirements of this ordinance, all signs must be constructed of durable materials and must be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
2. All attached signs and sign support frames must be mounted and attached to a building or the ground in a secure manner and must be maintained in good repair for safety and appearance.
3. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs must be in accordance with the provisions of the National Electric Code or the local electric code in effect. All such signs require an electrical permit and inspection by state of Washington Department of Labor and Industry, Electrical Division or equivalent inspection.

F. Sign maintenance and inspection.

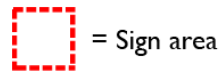
1. Maintenance. All signs, including signs heretofore installed must be constantly maintained in a state of security, safety, appearance and repair. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it is the duty of the owner and/or occupant of the premises on which the sign is fastened to repair or remove the sign within five days after receiving notice from the director. The premises surrounding a free-standing sign must be free and clear of rubbish and the landscaping area must be maintained.
2. Inspection. All sign owners must permit the periodic inspection of their signs by the city upon city request.

19.67.050 - Measurement of sign area.

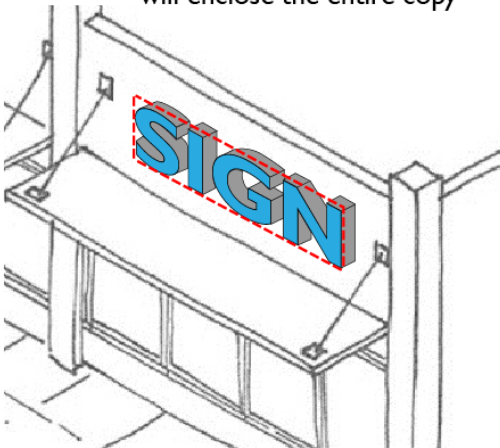
Sign area for all sign types is measured as follows:

- A. The area of painted signs, individual letter signs, and other indirectly illuminated signs is calculated on the basis of the smallest rectangle, circle or spherical figure that will enclose the entire copy area of the sign. Any such calculation must include the areas between letters and lines, as well as the areas of any devices, illuminated or non-illuminated, which are intended to attract attention.
- B. Where signs are placed on a display board attached to a wall or weather protection feature, the entire display board must be included in the sign area calculations. Where the display board includes a visible frame, only the area inside the frame must be included in the sign area calculations.
- C. For freestanding signs, the entire display board must be included in the sign area calculations. Where the display board includes a visible frame, only the area inside the frame must be included in the sign area calculations.
- D. Multiple-faced signs must have each face measured separately. The sign area allotment for each sign type applies to just one side of the sign. For example, if the maximum size for a certain monument sign is 25-square-feet, then each face of the monument sign may be up to 25-square-feet.
- E. Four or more faced signs, spherical, free-form, sculptural or other non-planar sign area is measured as 50-percent of the sum of the areas using only the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure, as shown in Figure 19.67.050. Signs with greater than four polyhedron faces are prohibited.

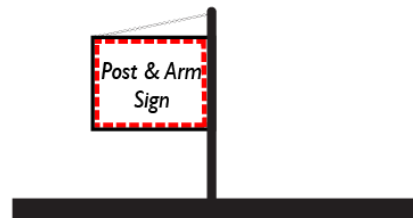
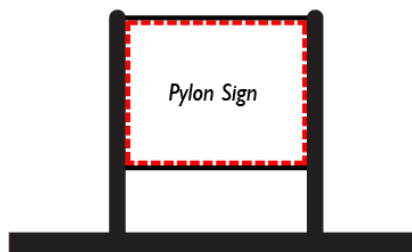
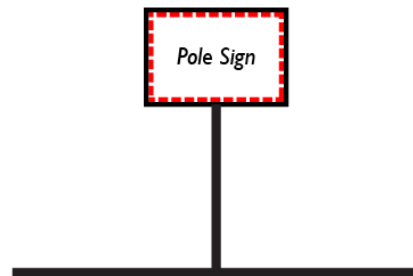
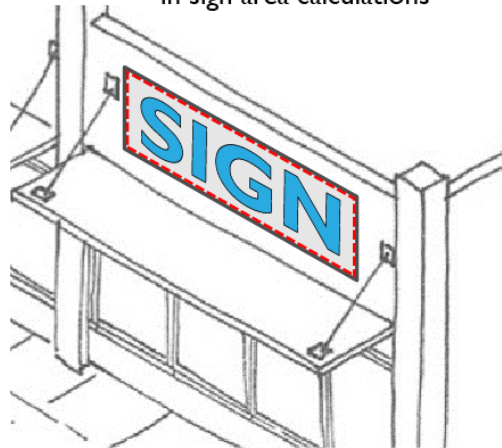
Figure 19.67.050(1)
Clarifying sign area measurement.

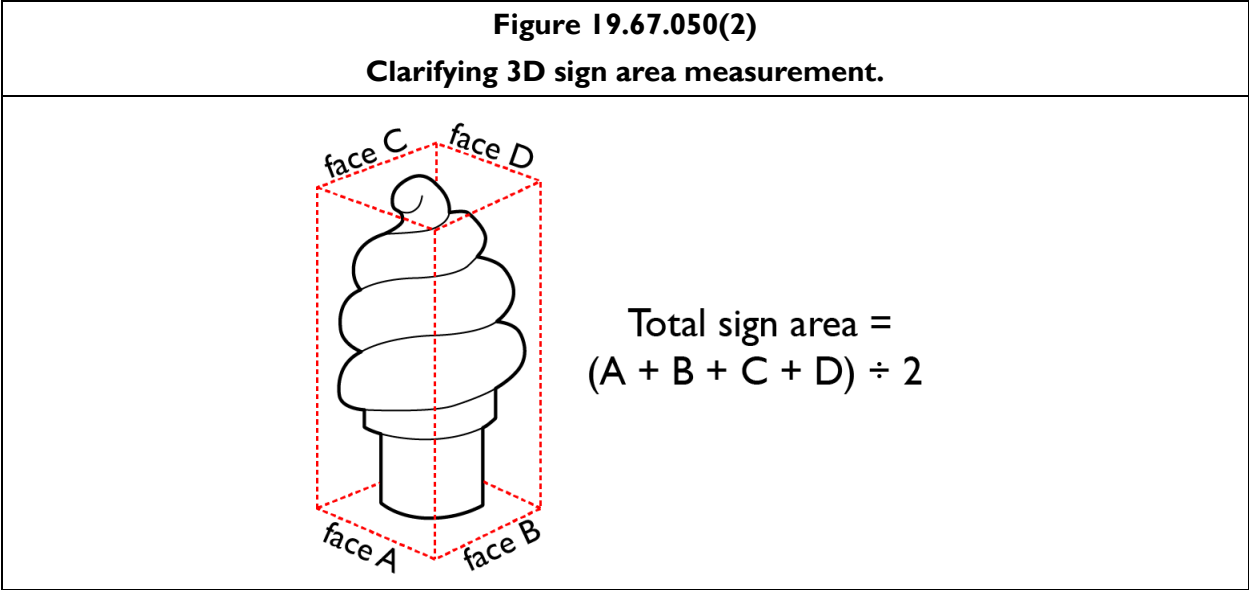


For individual letter signs, sign area is calculated using the smallest rectangle or circle that will enclose the entire copy



For signs on a display board, the entire display board within the frame is included in sign area calculations





19.67.060 - Signs types and standards.

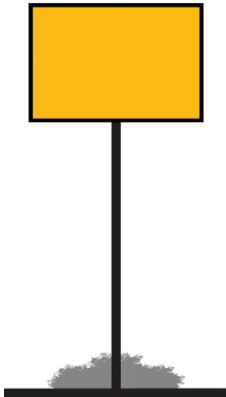
Table 19.67.060(A) Freestanding sign types and standards.				
Sign type	Location and street setback	Maximum quantity	Maximum height above existing grade	Maximum sign area
Pole sign A sign supported by one vertical post. 	Only allowed in LMI and HM zones within 100' of SR-20 right-of-way 5' minimum setback	1 pole sign per 400' of SR-20 lot frontage	30'	1 sq. ft. per linear foot of SR-20 frontage, up to a maximum of 160 sq. ft.

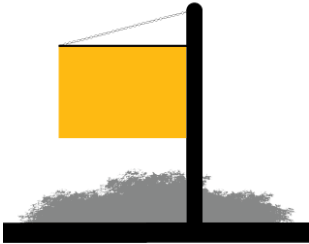
Table 19.67.060(A) Freestanding sign types and standards.				
Sign type	Location and street setback	Maximum quantity	Maximum height above existing grade	Maximum sign area
Monument sign A sign which is attached to the ground by means of a wide base of solid appearance. See AMC 19.67.080(B) for supplemental design standards. 	5' minimum street setback	1 monument, pylon, or post & arm sign/ lot frontage, except: 1 such freestanding sign per 150' of lot frontage where speed limit less than 35 mph 1 such freestanding sign per 200' of lot frontage where speed limit 35 mph or greater	See Table 19.67.080(B)(4) In LMI and HM zones within 100' of SR-20 right-of-way, maximum height is 30'	See Table 19.67.080(B)(4) In LMI and HM zones within 100' of SR-20 right-of-way, 1 sq. ft. per linear foot of SR-20 frontage, up to a maximum of 160 sq. ft.
Pylon sign A sign mounted on two posts. 	5' minimum street setback	1 monument, pylon, or post & arm sign/ lot frontage, except: 1 such freestanding sign per 150' of lot frontage where speed limit less than 35 mph 1 freestanding sign per 200' of lot frontage where speed limit 35 mph or greater	Monument sign standards apply per Table 19.67.080(B)(4) except pylon signs are limited to 8' in height In LMI and HM zones within 100' of SR-20 right-of-way, maximum height is 30'	Monument sign standards apply per Table 19.67.080(B)(4) In LMI and HM zones within 100' of SR-20 right-of-way, 1sf per linear foot of SR-20 frontage, up to a maximum of 160sf
Post & arm sign A small sign supported by a post and arm. 	5' minimum street setback	1 such monument, pylon, or post & arm sign/ lot frontage, except: 1 freestanding sign per 150' of lot frontage where speed limit less than 35 mph 1 freestanding sign per 200' of lot frontage where speed limit 35 mph or greater	5'	10 sq. ft.

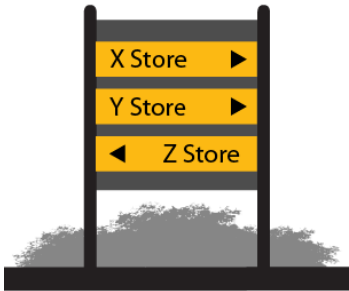
Table 19.67.060(A) Freestanding sign types and standards.				
Sign type	Location and street setback	Maximum quantity	Maximum height above existing grade	Maximum sign area
Internal way-finding sign A sign used to aid customers in circulation within parking lots of commercial uses. These signs could come in the form of monument, pylon, post & arm, or wall sign types. See AMC 19.67.080(C) for supplemental design standards. 	May be located in landscaped areas or on pathways provided the sign does not inhibit pedestrian movement. When such sign types are mounted on buildings, they must be oriented to a pathway.	Appropriate number of signs to provide directional assistance given size of site and circulation pattern as determined by the director.	8'	15 sq ft. When such sign types are mounted on buildings, they are limited to a maximum of 10sf

Table 19.67.060(B)
Building-mounted sign types and standards.

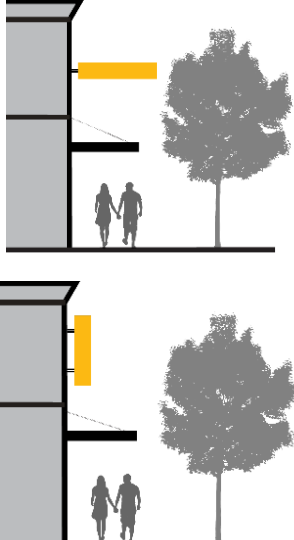
Sign type	Location	Maximum quantity	Maximum sign area	Maximum sign height
Wall sign A sign painted directly on the wall, attached to, or erected against the wall of a building or structure with the exposed face of the sign parallel to the plane of such wall. See AMC 19.67.090(A) for supplemental design standards. 	See AMC 19.67.090(A)(2)	1 sign per tenant façade that is visible from an adjacent street, customer parking lot, alley One wall sign is allowed per façade facing a waterfront provided the requirements of the Shoreline Master Program are met See 19.67.090(A) for additional quantity standards	See Table 19.67.080(A)(3)	Signs must not extend above the building parapet, soffit, or eave line of the building
Projecting sign A sign attached to and extending outward from the face of the building. See 19.67.090(B) for supplemental design standards. 	Minimum 8' vertical clearance above sidewalk or pathway, and minimum 14' minimum vertical clearance when within 5' of a roadway Must not be located directly over windows or in conflict with other signs or architectural features of the building	1 sign per façade that is visible from a street or customer parking lot	See AMC 19.67.080(B)(1)	Signs must not extend above the building parapet, soffit, or eave line of the building

Table 19.67.060(B)
Building-mounted sign types and standards.

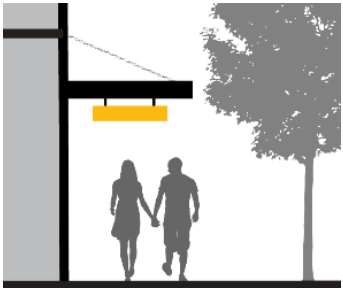
Sign type	Location	Maximum quantity	Maximum sign area	Maximum sign height
Marquee/awning sign A sign that is either attached to, affixed to, or painted on a marquee, awning, or canopy. See 19.67.090(C) for supplemental design standards. 	Minimum 8' vertical clearance above sidewalk or pathway May be placed on the front, above, or below the marquee Signage must not exceed 2/3 of individual awning or marquee width	1 sign per marquee, awning, or canopy that is visible from a street or customer parking lot	Same as wall sign standards, see Table 19.67.080(A)(3)	See 19.67.080(C)(1)
Under-canopy sign A sign attached to the underside of an awning, canopy, balcony or arcade. See 19.67.090(D) for examples. 	Minimum 8' vertical clearance above sidewalk or pathway Minimum 1' horizontal clearance from the building and canopy edge	1 sign per entrance that is visible from a street or customer parking lot	None	2'

Table 19.67.060(B) Building-mounted sign types and standards.				
Sign type	Location	Maximum quantity	Maximum sign area	Maximum sign height
Window sign A sign that is applied to or attached to the exterior or interior of a window or located in such manner within a building that it is visible from the exterior of the building through a window, but excludes merchandise in a window display. See 19.67.090(E) for window sign examples. 	Windows include glass doors	None	30% of total tenant window area/ façade	None

19.67.070 - Signs types permitted by zone.

- A. In mixed-use and industrial zones, all sign types are permitted unless otherwise noted in AMC 19.67.060.
- B. Table 19.67.070 illustrates the types of signs that are allowed for different development/use types in residential zones. The letter “P” indicates permitted sign types. A blank cell indicates the particular sign type is not permitted.

Table 19.67.070					
Signs permitted in residential zones.					
Sign Type	Development or use type				
	Single family subdivision	Mixed-residential or multifamily complex	Home occupation	Public use	Other non-residential use
Freestanding signs (AMC 19.67.080)					
Pole sign					
Monument sign	P ¹	P ¹		P	P ³
Pylon sign				P	P ³
Post & arm sign				P	P ³
Internal wayfinding sign					
Building-mounted signs (19.67.090)					
Wall sign			P ²		P
Projecting sign					
Marquee/awning sign					P
Under-canopy sign					P
Window sign			P ²		P

Conditions:

1. Single-family subdivisions and mixed-residential or multifamily complex. One monument sign is permitted per entrance from an access street, provided said signs do not exceed 18-square-feet in sign area each and five-feet in height. Such signs can be low profile monument or fence mounted and can be placed anywhere on the property along access streets, not necessarily at entrances.
2. One non-illuminated wall sign or window sign up to two-square-feet is permitted for a home occupation.
3. Other non-residential uses:
 - a. Monument signs are permitted for those permitted non-residential uses that exceed 10,000 in gross floor area. One monument sign is permitted per lot frontage, provided said sign does not exceed 18-square-feet in sign area each and five-feet in height. Such signs can be low profile monument or fence-mounted and can be placed anywhere on the property along access streets (not only at entrances).
 - b. Pylon and post and arm signs are limited to six-feet in height and 16-square-feet in area.

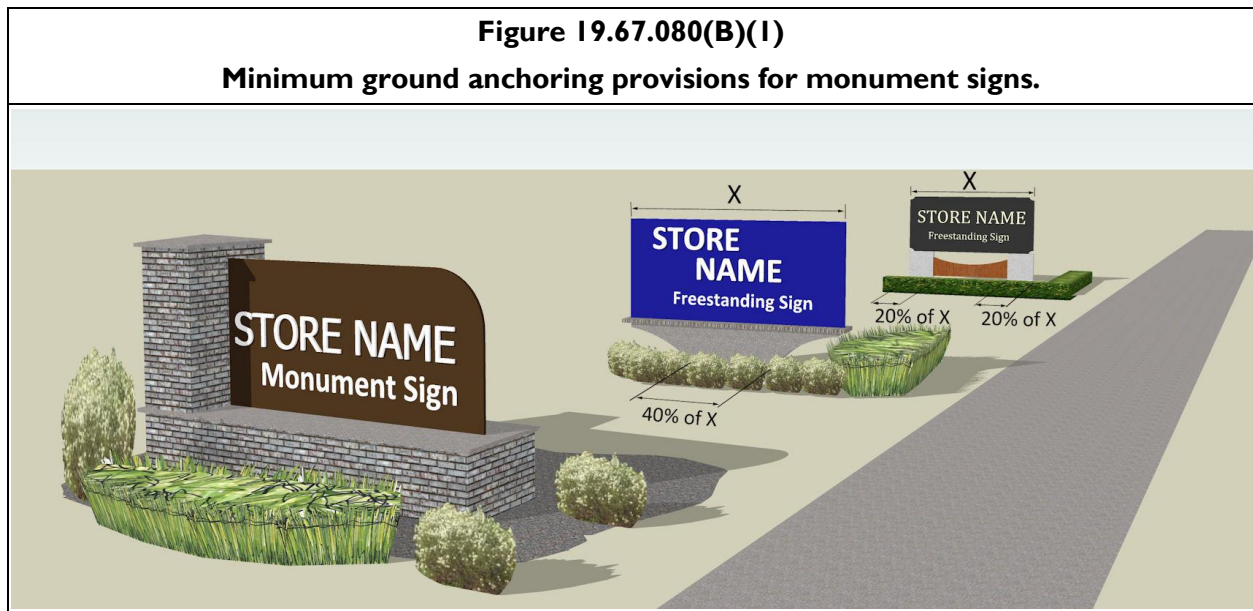
19.67.080 - Supplemental freestanding sign design standards.

A. Location and landscaping.

1. Freestanding signs are prohibited on block frontages that are designated Storefront per maps in AMC 19.61.040. All business signs along such frontages must be building-mounted (see AMC 19.67.090).
2. Landscaping. The base of all freestanding signs must be enhanced with one-square foot of landscaped area per one-square foot of sign area.

B. Monument signs.

1. Sign form. At least 40-percent of the total sign width must meet the ground plane.



2. Materials and design. Monument signs located in the CBD, C, MMU, CM, and residential zones must be designed as an integrated architectural feature of the site. Specifically:
 - a. 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 per AMC 19.20.220 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.

Figure 19.67.080(B)(2)(a)

Good examples of monument signs with framing elements on one side.

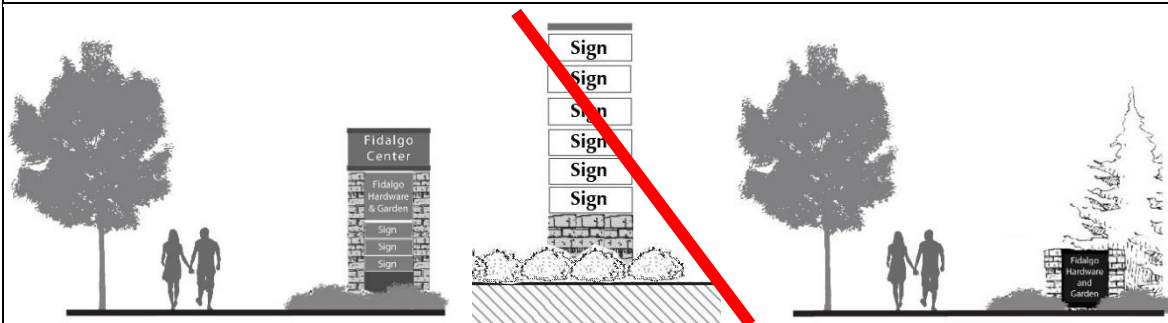


- b. Materials and design. Monument signs must include durable high-quality materials such as stone, brick, concrete, or steel and a design that relates to and/or complements the design of on-site buildings and/or is coordinated with other site design elements (such as distinctive lighting, monuments, way-finding signs).
- c. Top/middle/bottom. Monument signs must integrate a top, middle, and bottom element. The top could include a distinctive sign cap and/or include the name of a multi-tenant center. The middle can include a consistent framing technique for an individual sign or multiple signs in a multi-tenant center. The bottom could include a distinctive base design with special materials and/or design. See the figures below for examples that meet this requirement.

Signs less than six-feet tall are exempt from this provision.

Figure 19.67.080(B)(2)(c-1)

Acceptable and unacceptable monument sign examples.



The left image utilizes a clearly identifiable top, middle, and bottom elements and meets the framing provision. The middle image includes a base, but insufficient top or framing element. The shorter sign to the right includes framing but is exempt from the top, middle, and bottom elements.

Figure 19.67.080(B)(2)(c-2)

Good examples of monument signs with top-middle-bottom elements.



Each of these three signs includes a frame, top/middle/bottom components, and feature high quality materials that relate to and/or complement the design of on-site buildings and/or is coordinated with other site design elements.

Figure 19.67.080(B)(2)(c-3)

Unacceptable examples of monument signs.



3. Minimum base height. The copy of all signage must be at least one foot above grade.

Figure 19.67.070(B)(3)
Minimum base height for sign copy.



4. Maximum size and height. Table 19.67.080(A)(5) illustrates the maximum allowable sign area and height for all monument signs.

Table 19.67.080(B)(4)
Maximum allowable sign area and height for monument signs.

Total ROW Frontage of Parcel (on each streets)	Allowable Sign Area	Maximum Height
Less than 120-feet	24 sq. ft.	6-feet
120-199-feet	30 sq. ft.	7-feet
200 - 299-feet	40 sq. ft.	8-feet
300 - 399-feet	50 sq. ft.	9-feet
400-feet or More	70 sq. ft.	10-feet

C. Internal wayfinding signs.

1. Purpose. To aid visitors in finding the location of a business, use, or building on large commercial development sites.
2. Sign content. Signs may include only the name of the business, use, or building together with the directional guidance information.
4. Sign types. Internal way findings signs may come in the form of monument, pylon, or post & arm sign types, except that signs placed along pathways may be placed on buildings.
6. Design. Signs must designed in a uniform manner (within individual subdivision or center) using consistent background color typeface colors. Dark background colors with light colored text are required. See Figure 19.67.080(C) for an example.

Figure 19.67.080(C)
Internal wayfinding sign examples.



Note the consistent design themes using dark backgrounds with light colored text.

D. Digital and changeable copy signage integration.

Digital and changeable copy signage elements may be integrated into any pole or monument sign permitted in this section, subject to the following provisions:

1. Up to 50-percent of allowed sign copy area may be used for digital or changeable copy directory purposes.
2. Up to 33-percent of allowed sign copy area may be used for changing message purposes. For single tenant signs, up to 50-percent of the allowed sign copy area may be used for changing message purposes.
3. Where both a digital directory and changing message signage is included on one freestanding sign, such elements may collectively be used for up to 67-percent of the total allowed sign copy area.
4. Digital or internally lit changeable copy signs are not allowed in residential zones.

Figure 19.67.080(D)
Example of integrating digital signage.



The sign above features digital directory signage (Tahitian Pearls, which occupies the middle 33% of the sign copy) and digital signage that features changeable messages (bottom 33% of sign copy). The combined digital signage represents the maximum 67% of the total sign copy area.

4. Any form of technology may be used for the sign elements described herein, provided they meet the following provisions:
 - a. Maintain a 10 second minimum dwell time for the directory and any images. Changes in directory and images must be instantaneous and not faded. Animation, movement, or video imaging is prohibited.
 - b. Brightness limits:
 - i. Integrate automatic dimming capability that adjusts to the brightness of ambient light at all times of the day and night.
 - ii. Daytime: 5,000 maximum nits.
 - iii. Nighttime: 150 maximum nits.
 - c. Light trespass standard. Maximum 0.1 foot-candles at the property line of any park or residential property.

19.67.090 - Supplemental building-mounted sign standards.

Building-mounted signs include wall signs, projecting signs, marquee/awning signs, under-canopy signs, and window signs.

A. Wall signs.

- I. Permitted number of signs. See Table 19.67.060(B). Supplemental standards:
 - a. In multi-story buildings, businesses above the ground floor are limited to one sign per business, except that a business with frontage on more than one street may have one sign

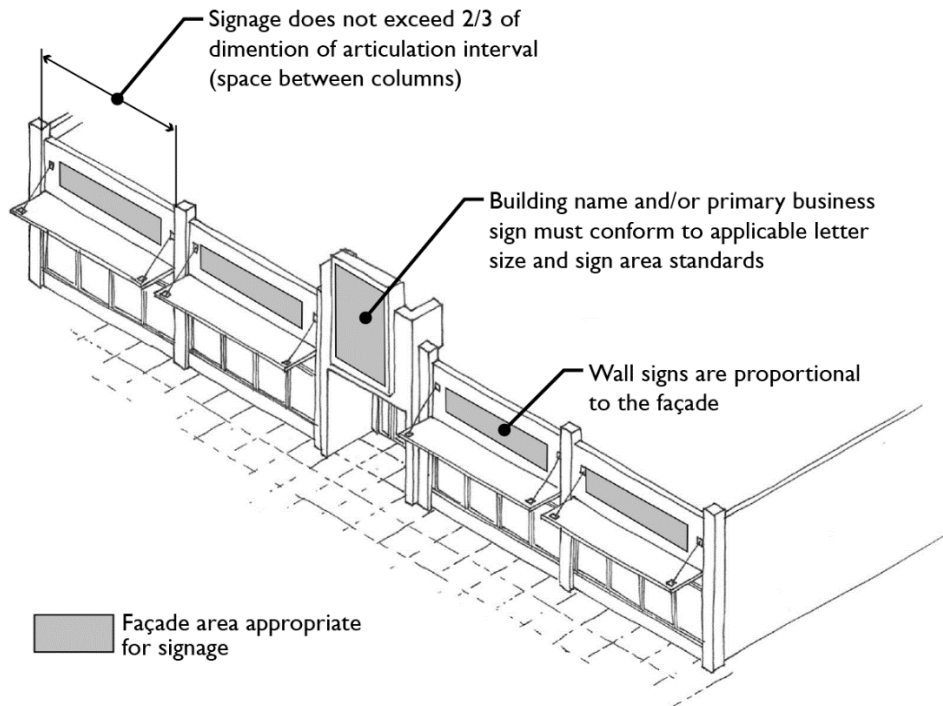
facing each street. Each sign must consist only of lettering and/or a logo painted on or applied to the surface of one window in a manner that allows light to pass between and around the individual letters. The area of the sign may not exceed 12-square-feet.

- b. In a multi-tenant building with businesses on upper floors and/or in interior spaces having no street façade on which to place a sign, a building directory listing businesses in the building, and not exceeding 12-square-feet, may be located on the building wall at each primary entrance. This directory may be in addition to the sign area permitted for the building.

2. Location and design.

- a. Wall signs must be proportional to the façade and are limited to $\frac{2}{3}$ of individual façade width dimension. This standard also applies to upper level businesses.
- b. Wall signs may not cover windows, building trim, an existing building name sign, or special ornamentation features. Preferred areas for installation of wall signs include blank areas above marquees, areas between vertical piers or columns, blank areas on a gabled roof, or upper reaches of a false fronted building.
- c. Stacked words on wall signs are permitted. Generally, the primary business name is encouraged to be provided on one line, with additional text on rows above and/or below providing supporting information about the business in smaller fonts.

Figure 19.67.090(A)(2)
Illustrating wall sign standards.



- 3. Maximum size for individual tenants that occupy space on the building façade . Table 19.67.090(A)(3) below provides standards for the maximum amount of wall, canopy, or awning signage on each tenant's façade. For building elevations that include signage for upper level businesses, the standards apply to the entire building elevation.

Table 19.67.090(A)(3)		
Sign area standards for wall, canopy, or awning signs for each tenant's façade.		
Tenant façade area	Maximum sign area (for tenant's façade)	
	Sign with internal lighting	Sign without internal lighting
Below 200 sf	15% of the façade	25% of the façade
200 - 349 sf	14% of the façade	22.5% of the façade
350 - 499 sf	13% of the façade	20% of the façade
500 - 999 sf	12% of the façade	17.5% of the façade
999 - 1499 sf	11% of the façade	15% of the façade
1500-1999 sf	10% of the façade	12.5% of the façade
Over 2000 sf	10% of the façade	10% of the façade

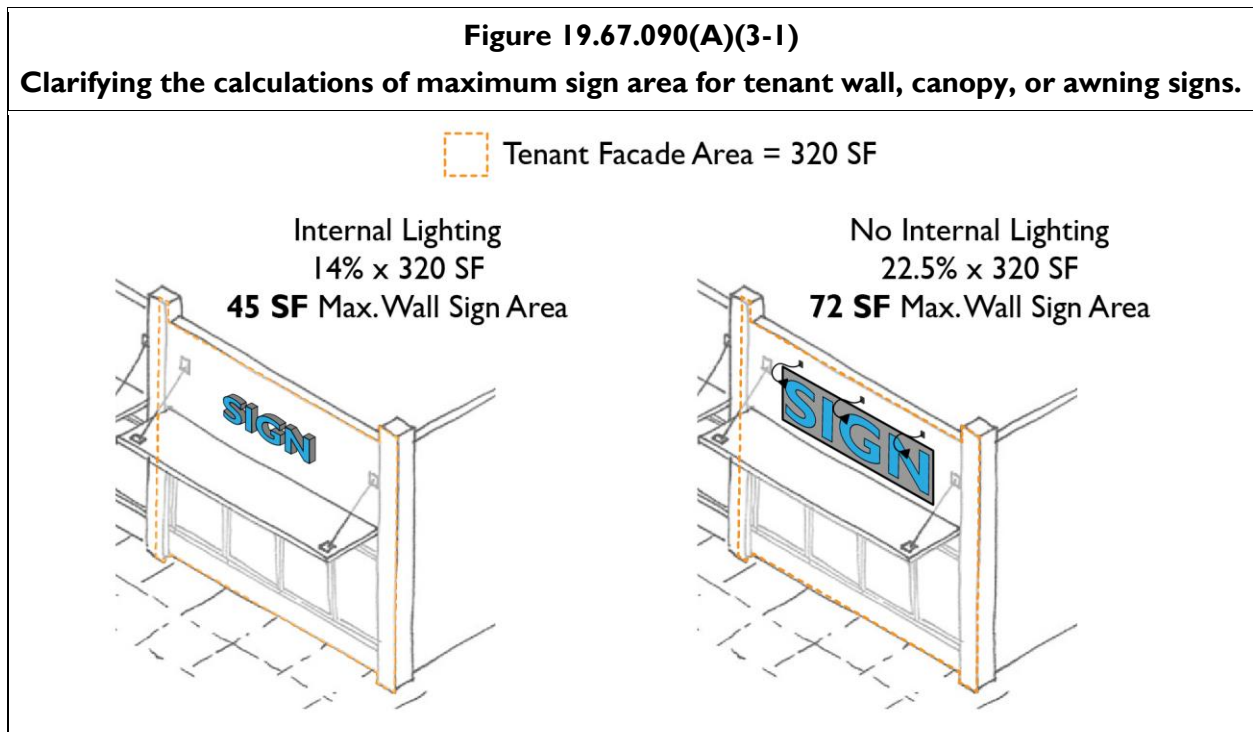


Figure 19.67.090(A)(3-2)
Acceptable wall sign examples.

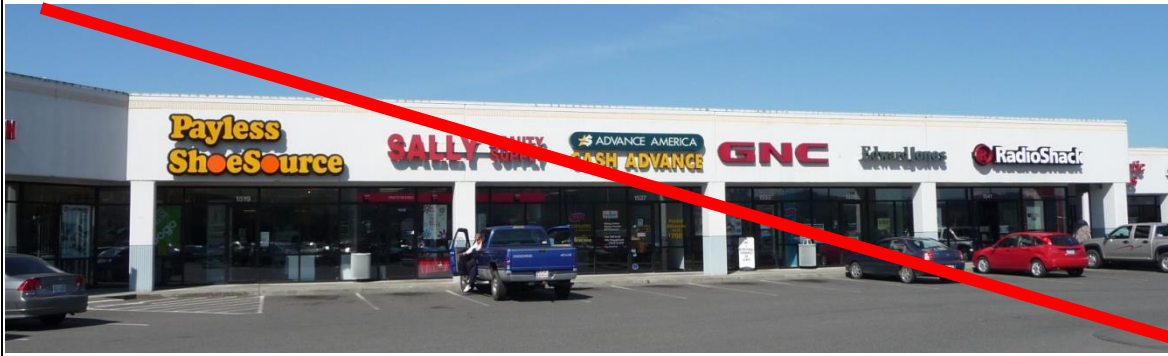


Note the different styles of signs and use of stacked (both left images) and supplemental text (lower left).



More acceptable wall sign examples. In the right image, the signs are centered on the articulation elements of the façade.

Figure 19.67.090(A)(3-3)
Unacceptable wall sign example.



Most or all of these signs clearly exceed 2/3's of the width of their respective individual storefronts.

4. Mounting.
 - a. Wall signs should be mounted plumb with the building, with a maximum protrusion of one-foot plus a four-inch mounting, unless the sign incorporates sculptural elements or architectural devices.
 - b. The sign frame must be concealed or integrated into the building's architectural character in terms of form, color, and materials.
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 in Table 19.67.090(A)(3) above, provided they are designed and sized in proportion to the façade [see Figure 19.67.090(A)(5) for an example].
 - b. Signs must be placed near the top of the façade and generally centered on the architectural features of the building.
 - c. DEPARTURES per AMC 19.20.220 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.

Figure 19.67.090(A)(5)
Acceptable building name sign.



- B. Projecting signs.** Projecting signs meeting the following conditions are allowed for commercial uses adjacent to and facing a street. They may be used in addition to wall, marquee, and/or awning signs provided they meet the applicable standards below.
- 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.

Figure 19.67.090(B)(1)

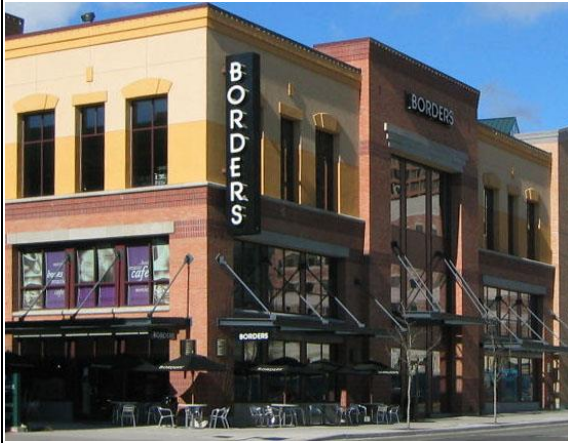
Dimensional standards for horizontal (left) and vertically-oriented (right) projecting signs.



- c. DEPARTURES per AMC 19.20.220 to the provisions in subsection (a) and (b) above 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.

Figure 19.67.080(B)(4)

Acceptable and unacceptable projecting sign examples.



The example on the right includes two complementary projecting signs that are separated enough that they don't conflict or cause visual clutter. The second sign is smaller and advertises the lounge that's within the restaurant.



Both examples include signs that project over the roofline. In the right example there are far too many signs that visually conflict and create unwanted sign clutter.

C. Marquee/awning signs. Marquee or awning signs may be used in place of permitted wall signs provided they meet the following conditions:

I. Sign form and size.

- a. Signs consisting of individual letters placed on the outside edge of the marquee or above the marquee are limited in 200-percent of the height of the vertical dimension of the marquee. For example, if the vertical dimension of the marquee is 12-inches, the letters may be up to 24-inches high. Such signs are limited to 2/3 of individual marquee width dimension or no more than 20-feet, whichever is less.
- b. Sign boards may be placed on vertical edge of a canopy provided the height of the sign board is no more than 200-percent the height of the vertical dimension of the marquee. For example, if the vertical dimension of the marquee is 12-inches, the sign board may be up to

24-inches high. Such signs are limited to 2/3 of individual marquee width dimension or no more than 20-feet, whichever is less.

- c. Signs placed on the vertical edge of awnings are limited to 80-percent the height of the vertical edge of the awning. Where signs are placed on sloping portion of the awning, they must be sized proportional to the architectural features of the building and are limited to two-feet in height. The width of awning signs are limited to 2/3 of individual awning width dimension or no more than 20-feet, whichever is less.

- 2. Number of signs: For individual façades that include multiple awnings or marquees, secondary business signage may be included on the additional signs. For example, where the primary sign might advertise the name of a bakery, the secondary signs could advertise coffee, ice cream or other types of products sold by the business.

Figure 19.67.090(C)

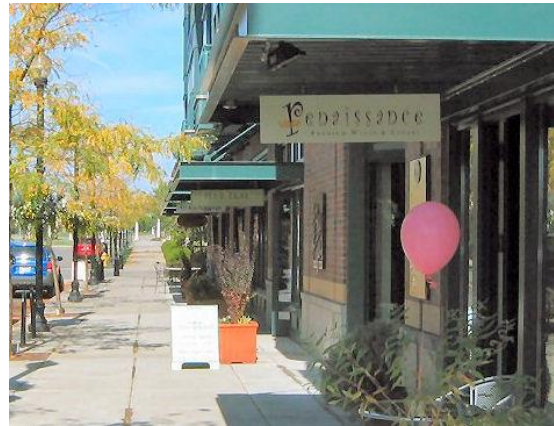
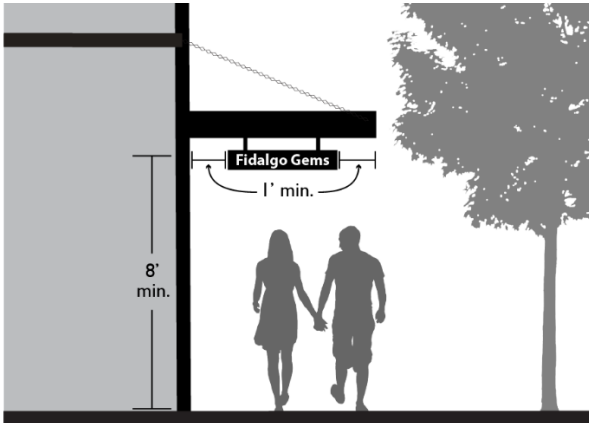
Marquee and awning sign examples & standards.



- D. Under-canopy signs.** Under canopy signs are placed under awnings, marquees or canopies and placed perpendicular to the storefronts and thus oriented to pedestrians on the sidewalk or an internal pathway.

Figure 19.67.090(D)

Under canopy standards and example.



E. Window signs.

Figure 19.67.090(A)(2)
Window sign standards and examples.



Signs in windows are limited to 30-percent of the total tenant window area. The coffee shop in the upper right image uses a variety of window signs, but meets the 30% limit. The lower right image clearly exceeds the 30% limit and effectively minimizes the transparency of this storefront.



19.67.100 - Noncommercial speech signs.

Noncommercial speech signs express noncommercial speech such as public community events, religious, political, social, or other philosophical messages.

Noncommercial speech signs do not promote commercial products or services. The content of such signs is not regulated, but is subject to the following requirements:

- A. The sign area of noncommercial speech signs must not exceed 32-square-feet.
- B. The maximum height is limited to six-feet.
- C. Noncommercial speech signs that do not comply with the requirements of this section must be subject to the permit requirements, sign area, setback and other provisions of this chapter. All noncommercial speech signs must comply with general sign requirements per AMC 19.67.040 General requirements.

19.67.110 - Temporary sign standards.

- A. Applicability.** All temporary signs are subject to the placement, size, and height requirements of this chapter, and the requirements in the underlying zone. Additionally, the following requirements apply.
- B. Permitting.** A sign permit is not required for temporary signs.
- C. Location requirements.**
 - I. Generally.
 - a. Temporary signs may be located on private property with the property owner's permission.
 - b. Temporary signs attached to building walls must not be placed in a manner that obstructs any door, Fire Department sprinkler connection, or street number sign.
 - c. Temporary signs must not be placed on the roof of a building, or affixed to a permanent sign or its structure, tree, utility pole, or street sign.
 - d. No part of a temporary sign may overhang a paved roadway, bicycle path, parking space, driveway, loading area, or wheelchair access.
 - e. Temporary signs must not be permanently attached to the ground, a building, or to any other structure, other than what is necessary to secure the sign to prevent theft, wind damage, or safety problems.
 - f. Temporary signs must not be placed in any public park, trail, open space, or other public space, except for those signs placed by the City.
 - 2. Only Type-4 temporary signs may be placed within the public right-of-way. Such signs are subject to the standards in AMC 19.67.110(H).
 - 3. Only Type-4 temporary signs may be placed on a sidewalk or other pedestrian pathway. Such signs are subject to the standards in AMC 19.67.110(H).
- D. Materials.** Temporary signs may be made of any durable material, and the sign face may be of rigid or flexible construction.
- E. Illumination prohibited.** Temporary signs may not be directly illuminated or be provided with any electric service.

F. Noncommercial temporary signs. Noncommercial signs do not promote commercial products or services. The content of such signs is not regulated, but is subject to the following requirements:

1. Noncommercial temporary signs are subject to the requirements of Table 19.67.110(F).

Figure 19.67.110(F)			
Size and duration of noncommercial temporary signs.			
	Non-A-board sign in the public right-of-way	A-board sign in the public right-of-way	Any temporary sign on private property
Sign area, maximum	4-square-feet	See subsection (H)(4) for A-board (Type-4 temporary sign) standards	12-square-feet
Height above grade, maximum	3-feet		8-feet
Duration, maximum	180 days per calendar year unless otherwise limited by the temporary sign type		180 days per calendar year unless otherwise limited by the temporary sign type
Location requirements	See AMC 19.67.110(H)(4)(f)		See AMC 19.67.110(C)(1)

2. Community banner signs up to 100-square-feet in size and 20-feet above grade in height may only be located on public banner poles erected by the City for that use. Community banner signs may not be illuminated.
3. Signs advertising a public event. Maximum duration must be from one month before the event to five days after the event.

G. Commercial temporary signs.

1. Construction signs. On properties with active construction, temporary signs must meet the following requirements:
 - a. *Number.* One non-illuminated, double-faced temporary sign is permitted for each lot frontage.
 - b. *Sign area.* Maximum size of 24-square-feet.
 - c. *Height.* Maximum height of eight-feet above grade.
 - d. *Permitted sign types.* Types 2-3.
 - e. *Duration.* Temporary signs must be removed by the date of first occupancy of the property or one year after placement of the sign, whichever occurs first.
2. Exterior event signs, such as grand opening signs, sale signs, promotional signs, exhibitions, quitting business signs, and other nonpermanent exterior signs used to advertise an event.
 - a. *Number.* There is no limit to the number of exterior event signs that may be displayed at any one time for any one business or tenant.
 - b. *Applicability/location.* Businesses in mixed-use and industrial zones may display exterior event signs.
 - c. *Sign area.* Exterior event signs are limited to 20-square-feet in size, except for building-mounted Type-2 temporary signs, which are subject to the area standards in subsection (H)(2) below.
 - d. *Height.* Based on height limits of allowed temporary sign types in subsection (H) below.

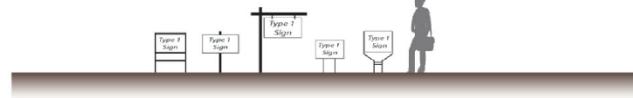
- e. *Permitted sign types.* Types 1-5.
- f. *Duration.* Exterior event signs (individual signs and/or groups of signs) may be displayed for no more than 60 cumulative days per calendar year per business or tenant.
- 3. Residential real estate. Signs associated with residential properties for sale or rent must comply with the following:
 - a. On-site residential “For Sale,” “For Rent” and “Sold” signs.
 - i. *Number.* Limited to one sign per lot frontage on the subject property.
 - ii. *Sign area.* Maximum size of six-square-feet.
 - iii. *Height.* Maximum height of six-feet above grade.
 - iv. *Permitted sign types: Type-1.*
 - iv. *Duration.* Must be removed within five days of the final sale or rental.
 - b. Off-site residential “For Sale” and “For Rent” signs.
 - i. *Location.* No further from the subject property than the nearest arterial street intersection.
 - ii. *Quantity.* No more than one “For Sale” or “For Rent” sign may be used at any street intersection for any one developer, broker, seller or owner.
 - iii. *Sign area.* Maximum size of two-square-feet.
 - iv. *Height.* Maximum height of six-feet above grade.
 - v. *Permitted sign types: Type-1.*
 - vi. *Duration.* Must be removed within five days of the final sale or rental.
- 4. Commercial and industrial real estate. Signs associated with commercial and industrial properties for sale or rent must comply with the following:
 - a. *Location and quantity.* Limited to one sign per lot frontage on the subject property.
 - b. *Sign area.* Maximum size of 16-square-feet.
 - c. *Height.* Maximum height of eight-feet above grade for properties adjacent to State Route 20 in the LMI or HM zones and six-feet above grade in all other areas.
 - d. *Permitted sign types: Types 1-3.*
 - e. *Duration.* Must be removed within five days of the final sale or rental.
- 5. Commercial temporary signs in a residential zone. Permitted commercial temporary signs in residential zones are limited to:
 - a. Residential real estate signs as established in subsection (3) above.
 - b. Home occupation signs as established in Table 19.67.070(A).
 - c. Signs associated with permitted non-residential uses are subject to the standards of this section.

H. Temporary sign requirements by sign type.

Below are standards for a wide variety of temporary sign types that may be allowed based on the site’s zoning, land use, or context. Where the provisions of subsection (F) or (G) conflict with the provisions of this subsection (H), the provisions of subsection (F) or (G) apply.

Figure 19.67.110(H)
Summary of temporary sign types.

Type 1 Sign Examples



Type 2 Sign Examples



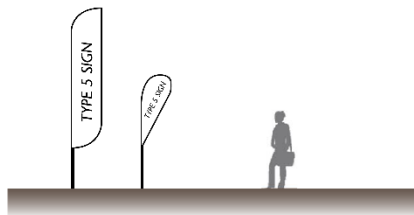
Type 3 Sign Examples



Type 4 Sign Examples



Type 5 Sign Examples



I. Type - temporary signs. Signs in this category consist of small, temporary yard signs that are typically associated with (but not limited to) the advertisement of real estate, political campaigns, and event announcements.

- a. Location. Type-I temporary signs may be located in any zone.
- b. Quantity.
 - i. For developed property, one sign may be displayed per dwelling unit and per business. For undeveloped and vacant property, one sign may be displayed per 0.25 acres of land.
 - ii. The provisions of subsection (i) are suspended during the 60 day period before any primary or general election scheduled by Skagit County. Following the end of such period, the provisions of subsection (i) are in force until the following period of suspension.

- c. Size. Maximum sign area is six-square-feet (per side if dual sided) per sign. Signs placed in windows are subject the size standards of AMC 19.67.090(E).
 - d. Height. Maximum height of the sign, including supports, is six-feet above grade (except for noncommercial signs located in a public right-of-way per subsection (F)).
 - e. Material. If outdoors, the sign face must be composed of a rigid material.
 - f. Mounting. Outdoor signs may be only mounted and supported by posts or stakes which are attached to the ground.
 - g. Duration. No limit unless otherwise specified in this section for the particular location, use, or context.
- 2. Type-2 temporary signs.** Signs in this category are typically referred to as “banners” that are typically associated with (but not limited to) the announcement of community events. These may be freestanding (supported by posts on either end) or building mounted signs.
- a. Location. Type-2 temporary signs are permitted in the mixed-use and industrial zones, on any property owned by a public agency, and on any property owned by a nonprofit corporation organized under Section 501(c)(3) of the United States Internal Revenue Code.
 - b. Quantity. One sign may be displayed per property.
 - c. Size. Maximum sign area for freestanding Type-2 signs is 18-square-feet (per face of dual sided signs). The maximum sign area for Type-2 signs attached to buildings is the same as sign area for wall signs (with internal lighting) as established in Table 19.67.090(A)(3) based on the size of the façade.

Exception: Lesser maximum sign area may be allowed for the particular use per subsection (F) or (G)
 - d. Height. Maximum height of any freestanding signs, including supports, is six-feet above grade (except for noncommercial signs located in a public right-of-way per subsection (F)). Type-2 signs attached to a building must not be placed on or above the roof of a building and must not be placed over any windows.
 - e. Material. The sign face must be composed of a flexible material.
 - f. Mounting. Freestanding signs may be only mounted and supported by posts or stakes which are attached to the ground.
 - g. Duration. For each property, Type-2 signs may be displayed for a maximum 30 calendar days per year. A maximum of six separate displays are permitted each year, with a minimum of ten calendar days of separation between displays.
- 3. Type 3 temporary signs.** Signs in this category are large signs typically associated with (but not limited to) the advertisement of land sales, construction activity, and commercial and industrial buildings for rent.
- a. Location. Type-3 temporary signs may be located in any zone under the following conditions:
 - i. The parcel upon which the sign is displayed has a minimum of 100-feet of lot frontage.
 - ii. The parcel does not contain a permanent freestanding sign with digital or changeable copy.
 - b. Quantity. One sign may be displayed per property.
 - c. Size. Maximum sign area is 24-square-feet (per face of dual sided signs) unless lesser maximum sign area applies for the particular use per subsection (F) or (G).

- d. Height. Maximum height of the sign, including supports, is eight-feet above grade unless lesser maximum height applies for the particular use per subsection (F) or (G).
 - e. Material. The sign face must be composed of a rigid material.
 - f. Mounting. Signs may be only mounted and supported by posts or stakes which are attached to the ground.
 - g. Duration. Unless otherwise specified in this section for the particular location, use, or context:
 - i. Type-3 temporary signs may be displayed without limit to duration on properties that undeveloped or vacant.
 - ii. In all other cases, signs may be displayed a maximum of one year, with a minimum of 60-calendar days of separation between displays. The minimum separation period applies regardless of whether the previous display reached the maximum duration of display.
- 4. Type 4 temporary signs.** Signs in this category must only include A-board and standing signs as defined by AMC 19.67.030. Signs in this category are typically associated with (but not limited to) the advertisement of retail businesses and announcement of public events.
- a. Location. Type-4 temporary signs may only be displayed in the mixed-use, industrial, and overlay designations provided they comply with the standards herein.
 - b. Quantity.
 - i. Commercial use. One sign may be displayed per customer entrance, and no more than two signs may be displayed per business.
 - ii. Noncommercial use. Two signs per lot may be displayed for each single noncommercial purpose.
 - c. Size. Maximum sign area is six-square-feet (per face of dual sided signs).
 - d. Height. Maximum height of the sign when placed in its display position, including supports, is four-feet above grade (except for noncommercial signs located in a public right-of-way per subsection (F)).
 - e. Material. The sign face must be composed of a rigid material.
 - f. Placement standards:
 - i. Signs for a commercial use must be located within 15-feet of a customer entrance.
 - ii. Signs must maintain at least 25-feet of separation from other Type-4 temporary signs.
 - iii. Signs placed on a pathway or sidewalk must be placed to one side of the sidewalk or pathway and provide a minimum of four-feet of unobstructed sidewalk or pathway width. Signs must not be placed on sidewalks or pathways less than four-feet in width.
 - iv. Signs must not be located within center medians, traffic circles, traffic islands, and roundabouts.
 - g. Duration. Signs may only be displayed during the period beginning 30-minutes prior to the daily opening and ending 30-minutes following the daily closing of the business displaying the sign.

Figure 19.67.110(H)(4)
Examples of Type-4 temporary signs.



The sign above illustrates a proper location for a Type-4 temporary sign, whereas the sign(s) below are placed in the middle of the sidewalk where it obstructs pedestrian traffic.

Type-4 temporary signs may come in the A-board form (upper left example) or in a standing form (as above).



5. Type-5 temporary signs. Signs in this category are feather signs. Feather signs are prohibited except where used for an exterior event sign [see subsection (G)(2)] or for multi-tenant centers meeting the criteria below.

- a. Location. Type-5 temporary signs may only be displayed in properties in a mixed-use or industrial zone.
- b. Quantity. One sign may be displayed per site/property. For site/properties with more than 100-feet of block frontage, multiple signs are allowed provided there's at least 100-feet of separation between signs.
- c. Size. Maximum height of feather signs is 13-feet.
- d. Design. Signs must be designed in a uniform manner, including consistent size and shape, where more than one sign is permitted.
- e. Duration. Type-5 temporary signs associated with an exterior event are subject to the duration provisions of subsection (G)(2) above. Type-5 temporary signs associated with an existing on-site tenant may be displayed without limit to duration.

6. **Type-6 temporary signs.** Signs in this category include fixed aerial displays, balloons, pennants, spinners, including strings of flags, streamers, tubes, or other devices affected by the movement of the air or other atmospheric or mechanical means. Such signs are prohibited except where used for an exterior event sign [see subsection (G)(2)].

H. Special community event signage. The purpose of this provision to provide for a periodic increase in the number of temporary signs that may be displayed for special community events which promote economic activity in Anacortes.

1. **Qualifying events.** Events sponsored by the city, non-profit agency, and/or multiple Anacortes' based businesses that are intended to attract tourism activity in Anacortes.
2. **Period of applicability.** Beginning 10-days prior to the date of the event (or beginning date of a multi-day event) and ending 24 hours following the conclusion of the event.
3. **Additional temporary signs permitted.** An unlimited number of temporary signs may be displayed in the CBD, C, CM, I and LMI zones during the period of applicability.
4. **Other regulations remain in effect.** During the period of applicability, all other temporary sign regulations remain in effect.

19.67.120 - Supplemental sign setback requirements.

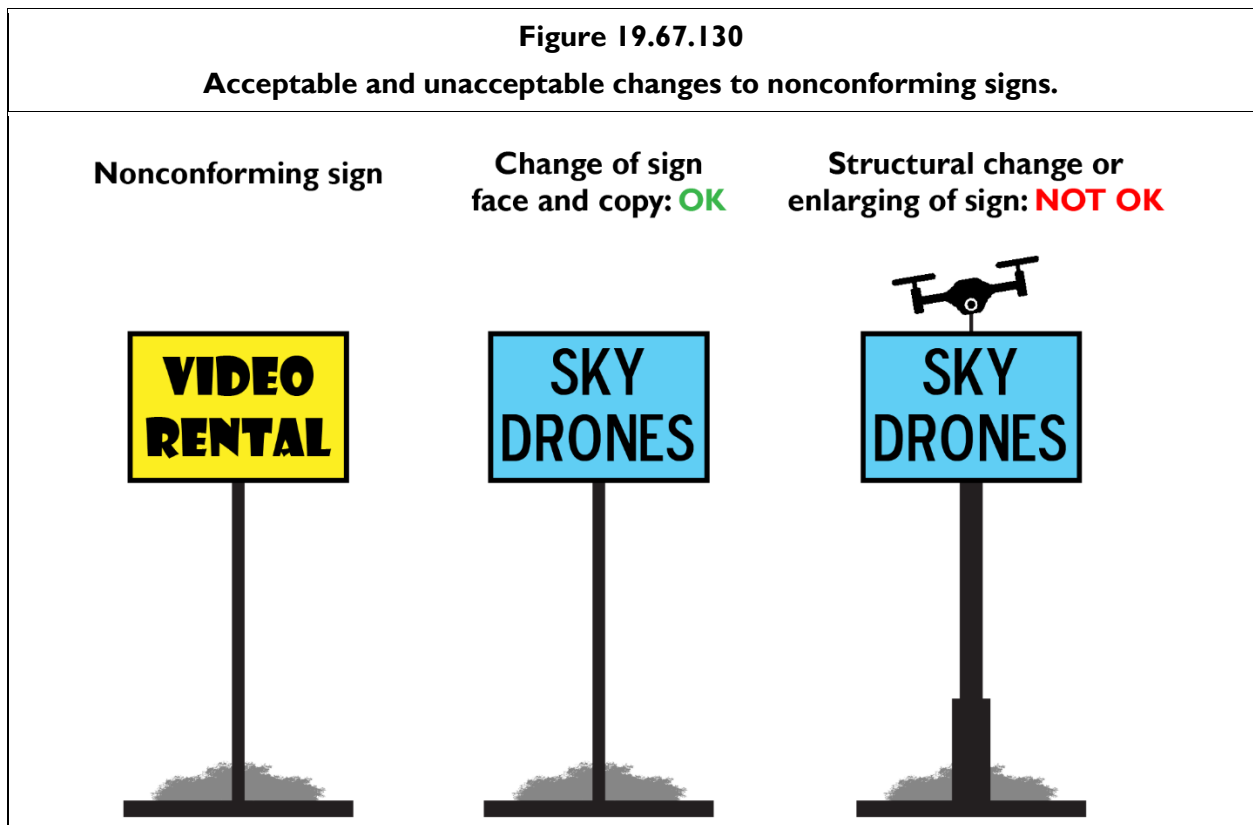
- A. Side and rear setbacks.** Signs and advertising structures where permitted must be erected or placed in conformity with the side and rear setbacks requirements of the district in which located except that no sign or advertising structure in a nonresidential zone must be erected or placed closer than 50-feet of a side or rear lot line in any adjacent residential zone.
- B. Industrial zone.** In the I-zone east of "R" Avenue and between 22nd and 34th Streets, the sign setback must be 30-feet from the curb at the east side of "R" Avenue.

19.67.130 - Nonconforming signs.

A nonconforming sign is a sign that was validly installed under laws or ordinances in effect prior to the effective date of this chapter or subsequent revisions, but is in conflict with the provisions of this chapter. Nonconforming signs may remain in use only under the following conditions:

- A. No such sign may be changed in any manner that increases the nonconformance of any such sign.
- B. The burden of establishing a sign to be legally nonconforming under this section rests upon the person or persons, firm or corporation claiming legal status for a sign.
- C. Changes to the sign copy or the replacement of a sign face on a nonconforming sign are permitted.
- D. When a sign is structurally altered, it ceases to be a nonconforming sign and must conform with the provisions of this chapter. Structural alteration means any action that changes the height, size, or shape of the sign or any action that affects the base or support(s) of the sign.
- E. When the footprint of a building containing a business or activity associated with a nonconforming sign is enlarged 200-percent or more, then such sign must be brought into conformity with this chapter.
- F. When a business or activity containing a nonconforming sign changes the type of the business, then such sign must be brought into conformance with this chapter.

- G. Such signs may be removed for maintenance for periods not to exceed 60 days. If removed for a longer period they must comply with provisions of this chapter upon reinstallation. This does not apply to existing billboards, but once removed for more than 60 days billboards cannot be replaced.



19.67.140 - Violations.

In case any sign must be installed, erected, constructed or maintained in violation of any of the terms of this title, the director must notify in writing the owner or lessee thereof to alter such sign so as to comply with this title. Failure to comply with any of the provisions of this chapter must be deemed a violation and must be punishable under AMC Title 20.

Signs on public property and in public right-of-way deemed to be in violation of this title may be removed by the city upon notice of the violation.

19.67.150 - Severability.

- A. If any section, sentence, clause, phrase, word, portion, or provision of this chapter is held invalid or unconstitutional by any court of competent jurisdiction, such decision must not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this chapter which can be given effect without the invalid provision.
- B. The invalidation of the application of any section, sentence, clause, phrase, word, portion, or provision of this chapter to a particular property or structure, or any particular properties or structures, by any court of competent jurisdiction must not affect the application of such Section,

sentence, clause, phrase, word, portion or provision to any other property or structure not specifically included in said invalidation.

Chapter 19.68 - WIRELESS TELECOMMUNICATIONS TOWERS & ANTENNAS

Reserved.

Chapter 19.69 - STANDARDS, GENERALLY

Sections:

- 19.69.010 - Purpose of this division and adoption by reference.
- 19.69.020 - Noise.
- 19.69.030 - Air pollution.
- 19.69.040 - Exterior lighting.
- 19.69.050 - Glare or heat.
- 19.69.060 - Special standards for the I, LM, HM, and AZ zones.
- 19.69.070 - Clear-vision triangle requirements.

19.69.010 - Purpose of this division and adoption by reference.

The following sections of Chapter [173-60](#) of the Washington Administrative Code as they now exist or may hereafter be amended or recodified are hereby adopted by reference as a part of the Anacortes Municipal Code which is established in all respects as though such sections were set forth herein in full; and further provided, the inclusion of section captions is for convenience in identifying the subject of code sections only, and any error therein must not affect the validity of the adoption by reference of the section so adopted:

WAC

- [173-60-010](#) Authority and purpose.
- [173-60-020](#) Definitions.
- [173-60-030](#) Identification of environments.
- [173-60-040](#) Maximum permissible environmental noise levels.
- [173-60-050](#) Exemptions.
- [173-60-060](#) Nuisance regulations not prohibited.
- [173-60-070](#) Reserved.
- [173-60-080](#) Variances and implementation schedules.
- [173-60-090](#) Enforcement policy.
- [173-60-100](#) Appeals.
- [173-60-110](#) Cooperation with local government.
- [173-60-120](#) Effective date.

19.69.020 - Noise.

Noise levels are not to exceed those standards as established by the state pursuant to Chapter [70.107](#) RCW, and contained in Chapter [173-60](#) Washington Administrative Code (WAC).

19.69.030 - Air pollution.

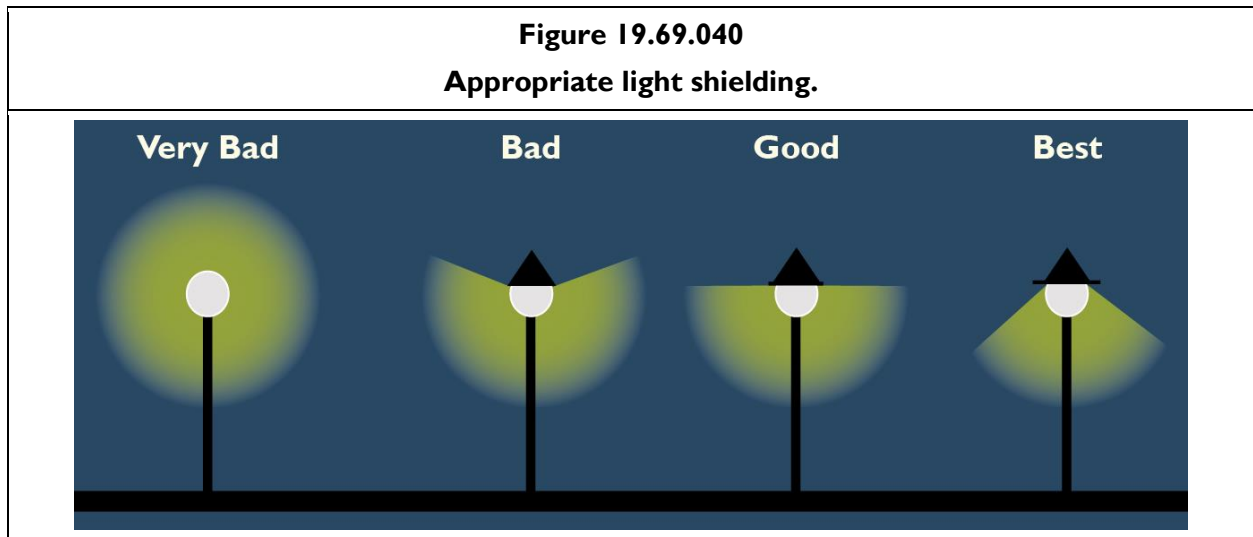
The following types of air pollutants must be subject to the provisions of applicable Northwest Air Pollution Authority regulations, regulating:

- A. Smoke and gas.
- B. Dust, dirt, or fly ash.
- C. Noxious and odorous matter.

D. Other pollutants that may subsequently be added by state law.

19.69.040 - Exterior lighting.

Exterior lighting in all zones must be installed so that the light is directed downward onto the property upon which it is located. All light sources must be shielded to direct light away from the sky and from residential uses. See Figure 19.69.040 for an illustration of appropriate light shielding.



19.69.050 - Glare or heat.

Any operation producing intense glare or heat must be performed within an enclosure so as to completely obscure such operation from view from adjacent residential property.

19.69.060 - Special standards for the I, LM, HM, and AZ zones.

Uses, processes, equipment employed, and goods stored or sold must not inflict upon neighboring zones smoke, cinders, fumes, dirt, noise, vibrations, odor, refuse matter, water-carried waste, or other nuisances or hazards detrimental to the health, welfare, and safety of persons occupying or visiting the zone or adjacent zones above that which is allowed by local, state, and federal standards.

19.69.070 - Clear-vision triangle requirements.

- A. A clear-vision triangle must be maintained at the intersections of streets, alleys, and commercial driveways, with the following requirements:
1. A clear-vision triangle must contain no plantings, fences, walls, other structures, or visual obstructions within a vertical area extending from three-feet to eight-feet above the ground, measured from the established centerline of the street, alley or driveway.
 2. The clear-vision triangle is determined by one of the following methods:
 - a. Measuring 15-feet along both street property lines beginning at their point of intersection. The third side of the triangle is a line connecting the endpoints of the first two sides of the triangle; or

- b. Measuring 15-feet along the street lines and 15-feet along the edges of the driveway beginning at the respective points of intersection. The third side of each triangle is a line connecting the endpoints of the first two sides of each triangle.
- 2. Subsection (1) does not apply to:
 - a. A tree trimmed to the trunk within the three to eight-foot clear area.
 - b. Other plant species that are so planted and trimmed as to leave a clear and unobstructed cross-view in all seasons.
 - c. A supporting member or appurtenance to a permanent building lawfully existing on the site.
- B. Exemptions. A clear-vision triangle is not required where maximum building setbacks would otherwise conflict with this section (see AMC Chapter 19.61 Block Frontage Standards).
- C. At the discretion of the City Engineer, additional clear-vision area may be required to meet transportation safety requirements.

DIVISION 7 - ENVIRONNENT

Division 7 - Environnement.....	390
Chapter 19.70 - CRITICAL AREAS	390
Chapter 19.72 - SHORELINES.....	390
Chapter 19.76 - STORMWATER.....	390
Chapter 19.78 - CLEARING & GRADING.....	390

Chapter 19.70 - CRITICAL AREAS

Reserved.

Chapter 19.72 - SHORELINES

Reserved.

Chapter 19.76 - STORMWATER

Adopted by ordinance 2991.

Chapter 19.78 - CLEARING & GRADING

Adopted by ordinance 2991.

DIVISION 8 - DEVELOPMENT AGREEMENTS

Division 8 - Development Agreements.....391

Chapter 19.80 - DEVELOPMENT AGREEMENTS 391

Chapter 19.82 - DEVELOPMENT AGREEMENT WITH PORT..... 391

Chapter 19.80 - DEVELOPMENT AGREEMENTS

Reserved.

Chapter 19.82 - DEVELOPMENT AGREEMENT WITH PORT

AMC Chapter 17.74 is recodified as AMC Chapter 19.82 Development Agreement with Port. The code reviser is directed to include the date of adoption of the development agreement, March 29, 2005, in recodified AMC 17.17.250, and to update the cross-references in existing AMC 17.74.060(C) to new AMC Chapter 19.38 Variances and new AMC Chapter 19.20 Application Procedures.



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.

April 29, 2019

Special Meeting: 5:00 p.m.

- Planning Commission Recommendation: Development Regulations and Zoning Map Amendments - Divisions 4, 5 and 6 (Discussion)

May 6, 2019

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

- Ordinance 3043: No Parking Beechwood Lane (Consent)
- Planning Commission Recommendation: Development Regulations and Zoning Map Amendments (Discussion)

May 13, 2019

- 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 (Discussion)

May 20, 2019

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.

- Planning - CANCELLED, Monday, Apr 22, 2019, , Main Conference Room, City Hall
- Finance, Wednesday, Apr 24, 2019, 5:00 PM, Main Conference Room, City Hall
- 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 , Monday, May 13, 2019, 5:00 PM, Main Conference Room, City Hall
