

## **Anacortes Planning Commission Minutes - August 28, 2024**

### **Roll Call**

Chairperson Linda Martin called to order the Anacortes Planning Commission meeting of August 28, 2024 at 6:00 p.m. Commissioners Jim Stoneman, William McCombs, Frank Jeretzky, Paul Ryan, and Mike Mills were present.

Commissioner Luke Currier was absent.

### **Minutes**

#### **Minutes of 05/22/2024 were submitted for approval.**

Linda Martin referenced page 2, paragraph starts "Commissioner Martin referenced SCOG population methodology...". She asked to change 10% to 90%. Mike Mills moved to approve the minutes as amended on page 2. William McCombs seconded. All Ayes.

### **Public Comment**

Bill Turner, 2812 I Ave Anacortes, addressed RCW 95A. It clearly states to me that the City should adopt 95A and the Planning Commission should be under that instead of being under 95. The Planning Commission is an essential part of the Comprehensive Plan update. He moved on to ADU's and the new regulations from the State. In his opinion, there are too many unanswered questions, especially regarding wetlands, zoning, etc. He recommended that the Planning Commission flush that out. We need clear direction on where they can be located.

Ian Munce, 1711 Quail Dr Anacortes, stated that the area he lives in is zoned R1. This area is primed for accepting additional development. Over half of the R1 zoned area is wetlands, streams and buffers. During the last Comp Plan update, the City provided some protections for aquifer areas. There is very little development potential in this area. The City wants to make everything "permitted outright" which excludes the neighborhood from providing input on the projects in their area. I appreciate the Conditional Use permit process. I am in favor of more density and more affordable housing, but it needs to be done correctly. In his opinion, the City Council is taking everything away from the public and giving the decision to the Planning Department and hope they get it right. Neighborhood input is invaluable and makes people feel a part of the community. Lastly, he feels that some of the recent cottage housing does not look like a true cottage housing development.

John Wilkenson, Anacortes, tried to provide comment on the website and received a notification that I was permanently blocked. He would like that checked out. He referenced the recent proposal for the Port of Anacortes electrification and the map associated with that project. He wonders if the Comp Plan recognizes the interface areas between residents and industry. Noise pollution has been an ongoing issue for the Cap Sante area. He recommends transitions between these areas and enforcing noise pollution.

### **Public Hearings**

### **Other Business**

#### **2025 Comp Plan Update: Land Use and Housing Regulatory Concepts presentation and discussion**

Libby Grage reviewed where we are in the Comprehensive Plan update and upcoming events.

Bob Bengford with Makers said he will be reviewing the Land Use and Regulatory Concepts for the Comprehensive Plan update. Anacortes is projected to have an additional 5,000 residents by 2045, which equates to almost 3,000 housing units and just over 3,100 new jobs. Permitting in Anacortes over the past few years has declined. We aren't meeting the housing needs annually. To be able to house the projected growth we need 128 new units permitted per year, but we are permitting on average 101 per year. Washington HB 1110

addresses middle housing and Anacortes fits most closest Tier 3. In those cities you must allow duplexes by right in all residential zones.

Jim Stoneman clarified that Anacortes is not actually in Tier 3, but we are close to the size of city addressed in Tier 3.

Mr. Bengford reviewed the action items from the Housing Action Plan (HAP). HAP strategy 2.1.1 is to allow cottage housing in the R1 zone. Currently the process for allowing cottage housing in that zone is not defined. The HAP proposed cottages to be a permitted use with a limit of 1,200 sf and a minimum of 3 units required. HAP 2.1.3 refers to allowing triplexes and townhomes in R2A as a permitted use with a floor area maximum of 1000-1200 sf and 4 units per building. He moved on to HAP 2.1.5 which suggests reducing barriers for group living uses; such as assisted living and nursing homes. The intent is to remove some of the barriers to this type of development. HAP 2.1.6 addresses the new state legislation that provides a way for adult family homes to have 7-8 beds. He moved on to HAP 2.1.7 which prohibits new large-lot single family uses in medium and high density zones, such as R3 & R4 where the highest allowed densities are located. If you allow these low density uses, you are limiting the capacity for infill. The recommended starting point is to prohibit new single family uses in the R3A, R4 and R4A zones. Attached duplex cottages are discussed in HAP 2.1.8. They are currently allowed in R3, R3A, R4 and R4A zones. The suggestion is to allow duplex cottages in all zones where cottage housing is allowed. HAP 2.1.9 discusses single room occupancy housing and the suggestion is to change that language to "co-living housing". Co-living is a lower-cost housing option where each resident has a small, private unit with kitchenettes and private bathrooms. New state law, HB 1998, states that jurisdictions must allow co-living housing on any lot within an urban growth area where at least 6 multi-family units are allowed. HAP 2.1.10 refers to Supported Housing, such as emergency shelters, transitional housing, emergency housing and permanent supported housing. The recommendation is to add a supportive housing category and allow by right in R4, R4A, CBD, C and MMU zones. He moved on to HAP 2.3 for ADU regulations. HB 1337 requires jurisdictions to allow 2 ADU's per lot in all primary residential zones, remove the owner occupancy requirement and clearly state that one parking space is required per ADU, which is also in the HAP.

Bob Bengford switched gears to duplexes. The HAP spent a lot of time on duplexes. We recommend allowing duplexes by right on the same lot size as single family dwellings in R2A (6000 sf) instead of the current requirement of 9000 sf minimum for a duplex. There are not many locations that can currently meet the minimum of 9000 sf. The city has some design standards already in place that could be updated. He reminded us that this type of development will not happen all at once. The recommendation is similar for the R3 zone, which is to allow by right on the same lot size as single family dwellings (4500 sf) and allow additional units for every 1500 sf. For triplexes and fourplexes, you may want to consider having floor area ratios or unit size limits to keep in line with the scale of the neighborhood. For the R4 and R4A zones, we recommend reducing the minimum lot size for duplexes from 4200 sf to 3000 sf, elimination the reference for requiring additional lot area for additional dwelling units beyond duplex, and consider raising the base maximum height in R4 to 45 feet and the bonus to 55 feet. This allows for more flexibility. Lastly, we looked at Neighborhood Commercial options. Anacortes has a policy in the current comprehensive plan to allow for some compatible non-residential uses in residential zones. The current code allows for these with a Conditional Use Permit in all zones except R1. The recommendations are to allow small scale corner stores by right in all zones except R1; limit the uses to neighborhood-serving retail uses, cafes, personal service uses and offices; limit the floor area in R2, but allow for larger in R3 and R4; limit the hours of operation; allow only where on-street parking is available; and possibly other building design standards to ensure neighborhood compatibility. This can be accomplished by creating a neighborhood commercial overlay that allows for these commercial uses, but doesn't change the underlying zoning.

The Planning Commission started review of the HAP recommendations one at a time.

Paul Ryan asked if Mr. Bengford if there was a reason for the low number in 2023 for issuing permits.

Bob Bengford stated it could be the construction costs combined with the high interest rates.

Mr. Ryan agreed that the cost to build is extremely high.

Commissioner Jeretzky asked what the figures are looking like for 2024.

John Coleman stated that there's been an increase from 2023, but not sure we are on target for the 2022 figures. Jim Stoneman asked staff if the recommendations should be broken into things we have to do versus things that we think are a good idea.

Mr. Coleman suggested staff could put an asterisk next to the recommendations that need to be done.

Will McCombs reference the slide for allowing more housing types asking if those are required.

John Coleman clarified that most of them are suggestions to make construction more affordable, thus increasing the range of housing types in Anacortes.

Commissioner Ryan understands that we are removing the term rooming house and switching to co-living. He wondered if co-living is stated in the International Maintenance Property Codes.

Mr. Bengford was not sure if it's included, but will check.

Paul Ryan asked if the recommendation is to remove the CUP process in regard to HAP strategy 2.1.3. He expressed concern that this would take the voice away from the community.

Bob Bengford commented that there are good standards in place, so we need to decide if they need to be allowed outright. He clarified that you would need a double lot to be able to build these.

Mr. Ryan pointed out that many residents chose to live in Anacortes because of the views. Allowing these outright without community input opens things up for more neighbor disputes.

John Coleman said there are provisions that need to be met. We can add regulations if needed. He reminded the Commissioners that homeowners should understand the zoning regulations for their property and the surrounding area so they understand what potentially can be developed in their neighborhood.

Mr. Bengford commented that a new single family residence, which is allowed outright, can be of a square footage that could have the same impact that Commissioner Ryan is concerned about. A duplex or triplex could not be built any bigger due to the zoning.

Linda Martin moved on to HAP 2.1.5 regarding Group Living uses. She expressed concern about allowing these outright in neighborhoods. She moved on to duplex cottages. This allows for more usable open space, but the units themselves are still limited in size.

John Coleman clarified that the duplex cottage is not currently allowed in code, but if we include this, it would allow for more flexibility in development.

Commissioner Martin stated she feels that a duplex cottage may have a look that is more similar to a single family home and fit better in the neighborhood. She moved on to updating language from single room occupancy to co-living. This is consistent with changes to state law. Another required element from state law is allowing supportive housing, per HAP 2.1.10. The next HAP strategy 2.3 addressed ADU regulations.

Mike Mills asked for clarification regarding removing the owner occupancy requirement.

John Coleman stated the city removed that requirement already. Now we need to change code to allow 2 ADU's by right in primary residential zones, to clearly state that one parking space is required per ADU and to change the limit from 900 sq ft to 1000 sq ft.

Paul Ryan asked if we require the property owner to have requirements; such as being a resident of Anacortes and have lived on the property for the 2 years prior.

Mr. Coleman clarified that the state legislation states we cannot have an owner occupancy requirement.

Jim Stoneman expressed his preference to encourage incremental implementation for these changes.

Mr. Coleman liked that idea. We haven't seen changes to laws to allow for more infill, so that type change would make it more palatable. He is unsure how we can require incremental implementation, but we will look into options.

They moved on to the HAP strategy 2.4.1, which suggests updating the minimum lot sizes and heights for R4 and R4A.

Commissioner Ryan expressed concern at increasing the height to 45 feet.

Linda Martin moved on to the Neighborhood Commercial overlay. She wonders what precipitated the need for commercial stores in the neighborhoods.

Mr. Bengford stated that it's already in the current Comprehensive Plan and would promote walkable neighborhoods/communities. Allowing them does not mean that they will be developed.

Linda Martin asked for all of these suggested regulations if there is an HOA for that area which prevails.

Bob Bengford clarified that these cannot override existing CC&R's or HOA rules. The HOA cannot enact new rules to disallow new regulations.

Linda Martin asked staff for next steps.

John Coleman said there are more HAP recommendations that the Planning Commission would need to review.

After that, we will bring the code changes before the Planning Commission for a public hearing.

Commissioner Martin suggested that they could keep the public hearing open if needed to allow more time to receive public comment.

Mike Mills pointed out the Planning Commission can hold work sessions. He wonders if that would be more productive.

### **Planning Department Update**

### **Adjournment**

Chairperson Martin adjourned the meeting at 8:05 p.m.