

Anacortes Planning Commission Minutes - October 30, 2024

Roll Call

Chairperson Linda Martin called to order the Anacortes Planning Commission meeting of October 30, 2024 at 6:00 p.m. Commissioners Jim Stoneman, Frank Jeretzky, Paul Ryan, Luke Carrier, and Mike Mills were present. Commissioner William McCombs was absent.

Minutes

Minutes of 08/14/2024 were submitted for approval.

Jim Stoneman moved to approve the minutes of August 14th as submitted. Paul Ryan seconded. All Ayes.

Public Comment

No public comment received.

Public Hearings

SDP-2024-0002: Bottner - Shoreline substantial development permit application for a new float - Open record public hearing and decision

Grace Pollard reviewed the proposal for a residential float in Boundary Bay / Skyline. The subject property is within the shoreline jurisdiction which requires Planning Commission review and recommendation. The proposal is to remove 2 in-water piles and a concrete pier and ramp that is affixed to the shoreline. It is believed that the current pier and ramp are original to development and as such are not in compliance with current code. The proposal is to remove the concrete pier and replace it with an aluminum pier of similar size and remove the ramp and replace it with a fully grated ramp of similar size. The float is not considered just a replacement, as part of the pier has been missing for years. There are micro-algae and eel grass that need to be protected during low tide and that is a part of their proposal. She reviewed the permit process and what had already transpired. The Shoreline Master Program (SMP) outlines goals and policies for maintenance, protection and restoration of all things along the shoreline jurisdiction. The SMP promotes the general welfare of the shoreline for all residents. It looks at the impacts and effect on the ecological functioning along the shoreline. The proposal is a permitted use both in the upland area and the aquatic area. Part of the application requirement is to conduct a critical area review. The applicant submitted a report showing the impacts of this proposal. There are unique requirements in the SMP for reporting. The Department of Ecology recommends we measure no net loss of ecologic functioning, which is done through mitigation sequencing. The applicant has noted the sequencing and applied aspects of their design to meet the mitigation sequencing. For example, the new ramp is fully grated. This is important to reduce shadowing to the critical environment below water. The applicant has also chosen to exceed some of the mitigated impacts. She reviewed the proposed location and the onsite mitigation planting plan. There is also an in-lieu fee that can be paid that applies to conservation credits for projects in the area. This portion of their proposal does not meet our local SMP so staff has some conditions for approval which are listed in the staff report. Staff recommends an updated mitigation plan and a detailed monitoring plan for 5 years after construction. The overall goal is to ensure no net loss.

Paul Ryan asked if all the recommendations have been met.

Grace Pollard clarified that's part of this process. She pointed out the Commissioners can approve the permit with the conditions listed in the staff report. Those will be assured at the construction phase.

Frank Jeretzky asked if the Planning Commission will review this project again.

Ms. Pollard said it will not. There will be a second review by staff and our 3rd party consultant to confirm that their proposal is in line with the SMP and the conditions. When this goes to the state-level review, it's not anticipated that the proposal would deviate much from this.

The Bottner's pointed out that they have 95% of the state stuff completed and just need this part from the

City of Anacortes. They anticipate starting construction in Spring. They received the staff report Friday evening, so they were not aware that the planting plan was not accurate. They are working to address that. There are some limitations on planting due to the existing impervious surfaces. They asked for clarification on item #4 regarding the notice on title. They pointed out that less than 10 years ago, the float was there. They just want to repair it.

Public hearing opened - no comment received.

Public hearing closed.

Paul Ryan asked if the applicants have been willing to work on these conditions.

Ms. Pollard said she's been working with the applicants' consultant and working on options such as continuing the public hearing, reworking the plans, etc. The consultant did not voice concerns about meeting the conditions if approved. They discussed the notice on title, which is a requirement from the SMP, and there were no concerns raised.

Linda Martin asked the Bottner's if they wanted the hearing extended.

Carrie Bottner asked that it be closed.

Mike Mills asked if they need approval from the HOA. He also wondered if the conditions are disagreeable by the HOA, which authority reigns.

Grace Pollard clarified that the City does. The HOA does not trump our code. There are ways to meet the planting requirements and stay within the HOA height guidelines.

Paul Ryan moved to approve the proposal as presented in the staff report with the 11 recommended conditions. Jim Stoneman seconded. All Ayes.

Other Business

2025 Comprehensive Plan Update - Potential Future Land Use Map amendments - applicant presentations

Libby Grage presented the potential Future Land Use Map (FLUM) amendments slideshow. The public comment period for these will end on November 13, 2024 at the Planning Commission public hearing. She reviewed the FLUM stating it designates the proposed general distribution, location, and extent of uses of land for housing, commerce, recreation, public utilities, open spaces and more. She explained the difference between the future land use map (included in the Comprehensive Plan) versus the zoning and development regulation map. The FLUM talks about the purpose of each land use designation and intended population density, along with the implementing zoning for each designation. The zoning map determines what can be done on a specific property. When someone wants to change the zoning for their property, we need to look at the FLUM to see if it's consistent with their proposed change. If it's not consistent, they have to apply for a FLUM amendment. We received 7 petitions from property owners and the City Council docketed those for consideration. There are also some staff recommended changes. We are starting with the proposal from Fidalgo Pool.

Rob Peterson, Fidalgo Pool Director, said they are looking to convert several parcels, which have all historically been used for public use. Others have been acquired to provide for future improvements to the pool. He reviewed how their proposal meets the goals and policies in the Comprehensive Plan. He reviewed the tax implications stating that the property owned by Fidalgo Pool is tax-exempt and the donor property would become exempt if/when it becomes part of their property. He reviewed a conceptual drawing of the pool if redesigned.

Ms. Grage moved on to the Skillings request to change from industrial to residential.

Tom Skillings, 3506 Fidalgo Bay Rd, said they propose to change the zoning to R3 which is similar to the adjacent property.

Libby Grage said the next applicant is the Port of Anacortes with 3 requests for different properties.

Kevin Anderson, Port of Anacortes, said the first proposal is for the Marine Terminal. Most of this is zoned

manufacturing/shipping with one exception that is LM. The Port wants it changed to MS because it is currently used as marine laydown. The second is the Cap Sante Marina which has 3 different zoning designations currently. POA prefers CM as it provides for marine-oriented uses and commercial and industrial enterprises. Changing this makes the zoning more in line with the actual use that is currently occurring. The last is the Airport & Rockwell parcel that is currently zoned AZ. The request is to change a small portion of that parcel to LM. Changing this zoning allows for more flexibility in developing the Rockwell property. If this area is changed, it can help us to avoid impacts to wetlands on that adjacent property.

Rob Peterson referenced the MMU area. He wondered if the proposal is to rezone the entire area, including the park.

Mr. Anderson said the proposal does not include the park. This is just the gravel lot south of Seafarer's between Q & R.

Ms. Grage moved on to the next proposal, Signal Hill, which is a request to add parcels to the UGA in the Sharpe's Corner area.

Ian Falls, Core Design on behalf of the owners. We are assuming these 3 properties would end up R4 if included based on the surrounding properties. The proposal is adjacent to COA limits. We originally wanted the entire (blue) area included, but City Council only docketed the 3 parcels in red. This area could allow up to 200+ units based on existing zoning and site restrictions. The goal of the property owner is approximately 80 homes with "stepped" development including cottages, townhomes and new single-family homes. He reviewed how this meets the goals and policies of the Comprehensive Plan. There is potential to provide connection and open space to Whistle Lake, but work would need to be done by the owners, the City of Anacortes and Skagit County. There are utilities in this area.

Mike Mills asked if there are any structures on these properties.

Ian Falls pointed out that the current structures would likely be removed. They currently have access to SR20.

David Strich, WSDOT, reminded everyone that State Route 20 is class 2, so there would need to be coordination throughout the process. We would encourage using the existing infrastructure instead of creating new access points to SR20.

Ian Falls said there is potential for access from South Fidalgo Bay Rd. We are aware of the restrictions regarding SR20.

Frank Jeretzky commented that the state is concerned because the proposal is for a significant increase in vehicle traffic.

Chris Colins said he's been a manager for 16 years in that area. He pointed out that the other access is an easement to Miller Rd.

Libby Grage moved on to the UGA expansion proposal. Keep in mind, Skagit County will need to approve all of these.

John Coleman clarified that UGA expansions are not approved by the city. The City will make a recommendation to the County and they will make the determination whether to include them or not. This is based on the ability of the City to accommodate growth within the city limits. Our request is for properties that the City acquired around the Anacortes Community Forest Lands (ACFL). The parcel in the north-east section (P32547) is not adjacent to the ACFL. We are not proposing adding these lands for growth or development; rather to expand the ACFL and protect these areas in perpetuity. P32547 is a former gravel pit that was given to the City. It has a trail that connects Heart Lake forestland area to Little Cranberry. P32547 is zoned natural resource lands, which requires us to show a reason to change the zoning. It will remain city used and will not convert to residential use. It is no longer usable as a natural resource land as it is fully mined. He moved on to the Signal Hill proposal stating that if it moves forward, we understand and have communicated to the County that more studies will be needed. We previously showed that we can accommodate the GMA proposed growth in our current city limits based on the land capacity analysis. Libby Grage clarified that staff will be providing additional information prior to the public hearing on November 13th. She moved on to FLUM #1 which proposes to change from residential low density 2 to

residential medium density. The idea is to provide more housing close to a neighborhood store. FLUM #2 suggests areas that could allow for more neighborhood commercial uses. She reviewed the 2 options: (1) neighborhood commercial overlay zones or (2) updating the permitted uses chart to allow more commercial uses.

John Coleman said the intent is to provide more neighborhood commercial uses, such as the Store, in these areas.

Libby Grage pointed out that the overlay goes "on top of the existing zoning". All the uses under the zoning are allowed and would apply along with the uses allowed under the overlay. We looked at access availability and existing commercial uses in the area. She reviewed the possible overlay areas and what that could look like. The intent is to provide services where there currently is nothing. If we decide not to use the overlay, we could decide to update the allowed uses chart in the zoning code to allow for more neighborhood-scale commercial uses. That could include a definition and standards.

Jim Stoneman asked for pros & cons of the options.

Ms. Grage said a pro of the overlay is everyone knows what to expect and where. A con is this could raise concerns with the neighbors next door. For option 2, specific standards would need to be developed.

John Coleman stated that if we can identify the concerns, we should be able to address those by setting parameters.

Mike Mills commented that he likes the concept, but the real life application is unknown. We may only be accomplishing looking good on paper.

Linda Martin said she prefers the overlay to changing the zoning chart. She expressed concern about having four different trial areas, especially since the community is not asking for these.

Libby Grage asked if the Commissioners need anything else from staff.

Paul Ryan suggested providing more feedback from the affected homeowners and residents in those areas. Parking could be an issue.

Luke Currier asked staff to provide examples from other cities that have used one or the other option.

Linda Martin expressed concern that this could impact traffic, especially the area proposed on 12th Street.

Libby Grage said some of that could be dependent on the allowed uses. The infrastructure may be missing in some areas.

Frank Jeretzky asked if the overlay areas could be reworked to be more inline with commercial streets and higher-use areas, instead of spilling into the residential area.

Countywide Planning Policies (CPPs) - 2025 Comprehensive Plan Update

John Coleman pointed out the agenda bill has the process that Skagit County uses to make decisions on long-range planning. We updated this to make sure it meets all the GMA requirements. Also included are the allocations for population, housing and employment growth. We added the housing table as that did not exist during the last comprehensive plan update. Staff wants the Planning Commission to review this, then make a recommendation that staff will take to City Council.

Mike Mills referenced page 288, wondering if there should be a comma. Then, in appendix b, paragraph 1, he suggests replacing "planners committee" with the new name. On page 310 of the packet, paragraph 14, he recommends replacing "adapt to and mitigate" with "seek to". He wants to avoid total mitigation.

John Coleman clarified that is state law, so we cannot change that.

Mike Mills said, also in appendix b, consider adding in paragraph 1 a step in the process for Planning Commission and City Council review prior to the steering committee review.

John Coleman stated this is based on the countywide framework agreement, so we may not be able to change this.

Mike Mills commented he wants to make the process consistent. We should be involved in the review of the actions resulting in those procedures. His concern is that during this process, the population and employment allocations were decided on. The Planning Commission was not given the opportunity to review them prior to them being decided on and handed down to all the cities.

Linda Martin referenced page 289, sections 1.8 and 1.9, she recommends ending the first sentence after "housing". Then in 1.9, end the first sentence after "produced". For appendix b, section 3c, she asked if the

last phrase can be deleted; ending the sentence with "adopted population and employment allocations". Jim Stoneman moved to submit the document to City Council with the proposed changes from Commissioners. Paul Ryan seconded. All ayes.

Planning Department Update

John Coleman thanked everyone that came out for the second Comprehensive Plan open house. It was well attended. We currently have a survey on the website for economic development to assist with the update of the strategic plan. He recommended citizens take the survey, especially business owners.

Adjournment

Chairperson Martin adjourned the meeting at 8:47 p.m.