

Anacortes Planning Commission Minutes - November 13, 2024

Roll Call

Chairperson Linda Martin called to order the Anacortes Planning Commission meeting of November 13, 2024 at 6:00 p.m. Commissioners Jim Stoneman, William McCombs, Frank Jeretzky, Paul Ryan, Luke Currier, and Mike Mills were present.

Minutes

Minutes of 08/28/2024 were submitted for approval.

Mike Mills moved to approve the minutes as submitted. Jim Stoneman seconded. All ayes.

Public Comment

There was no public comment received.

Public Hearings

SDP-2024-0005: Port of Anacortes T Dock - Shoreline substantial development permit application - Open record public hearing and recommendation to City Council

Grace Pollard said T-dock is located at the end of 13th St. The shoreline designation is urban and the zoning is commercial on the upload side and commercial marine waterward. This is in line with the adjacent properties. The proposal is complete removal of 115 creosote piles, the creosote deck planks, 29 pressure-treated fender piles, a 55-foot-long concrete apron, the retaining wall footings and portions of the pedestrian walkway. The reconfigured T-dock will include approximately 35 24-inch steel pipe piles, 5 30-inch new steel pipe piles, 24 10-inch new steel fender piles, and the decking will now be made of concrete panels. The biggest change is that they are extending the connection to the shoreline the entire length of T-dock. It is not expanding waterward; rather the space between the original dock and the shoreline that is being filled in with the new pier. They are also updating the electrical, stormwater and lighting. This is a type 4 City Council decision with a Planning Commission recommendation. She reviewed the application process that has already occurred. The closed record hearing with City Council is scheduled for November 25th. The Shoreline Master Program (SMP) is a planning document that outlines the goals & policies for the use, development, protection and restoration of all shorelines within the city limits. This proposal is a permitted use in the SMP. One of the biggest things about the SMP is to ensure no net loss of shoreline functions and features. That is demonstrated through mitigation sequencing, which she reviewed. The dock was built in 1977 and is still functioning, but in need of an upgrade. Part of the proposed mitigation sequencing included enhancing the habitat along the northeast side of the marina. They are suggesting installing large woody debris so that fish and marine creatures will use as their habitat. This ensures no net loss of habitat function and values. The project is consistent with the applicable SMP policies and development regulations. This does not change the pedestrian connection around the marina. The project is anticipated to provide long-term shoreline improvement over existing conditions through improving the water quality in Cap Sante marina and installing the new habitat. This project requires local, state and federal permits. We are responsible for ensuring that this meets the local requirement. There are many other agencies that will be reviewing this for compliance.

Ms. Pollard reviewed the staff recommendation that the Planning Commission recommend approval to City Council of this shoreline permit subject to the conditions listed in the staff report. None of these conditions were a surprise to the Port. Many of them are standard requirements.

Mike Mills stated he reviewed the mitigation planning and the staff report and was very impressed with the number of steps being taken to not further degrade this environment. It was disappointing to learn that the past uses and development degraded the natural habitat. He would like to re-establish those.

Kevin Anderson, Port of Anacortes, reviewed his powerpoint. T-dock is nearing the end of its lifespan. This dock has a lot of business going on. It's free to use and primarily used for fisheries, oil spill response and

ship channeling. Our goal is to support marina commerce; restore safety, alleviate a traffic bottleneck and build a durable, lasting piece of infrastructure. The dock is used by 6 Puget Sound tribes, supports 30 local jobs, and generates approximately \$14 million in economic activity in Anacortes. The dock is showing signs of wear and is becoming less safe. The king tides come all the way above the piles. It will be a 3-step process to get this done. First we will install habitat structures prior to demolition and construction; then we will demo the existing creosote treated structure and lastly, construct the new enlarged T-dock. He pointed out that the habitat mitigation meets all the various agency requirements. The proposal is to install 18 large woody debris structures. These will be great places for invertebrates and animals to hide and live. The site we chose is the most impacted around the marina. Regarding the demolition, we will start with removing elements we can salvage or reuse. We will have silt fences in place and continue to do monitoring so that we minimize the impacts. Then the piles will be removed with either a land or water-based crane and load them on a truck for disposal. The construction of the new dock will include installation of the sheet pile upland to prevent seismic outfall; then we will cast in place abutment on top of the sheet pile. After that, the fender piles will be installed. On top of those, the pile caps and concrete deck will be installed. Lastly, the utilities and deck gear will be installed. The new deck will be approximately 0.7 feet taller, which will allow for flow to drain at the back of the dock.

Luke Currier asked Kevin to explain why creosote is bad.

Mr. Anderson clarified that there's a lot of carbon in them, which affects the fish's ability to migrate. It also affects the eggs of juvenile forage fish. Creosote is a phototoxin. It was really good in the past, but now we know it's not good for the environment.

Mike Mills wondered if the Port has any activity or usage trends over the past 5-10 years.

Kevin Anderson said it's been fairly stable.

Linda Martin referenced the techniques to remove the piles asking what a bubble curtain is.

Kevin Anderson stated it is a ring of tubing with perforations that is put around the pile. They add air to it, which causes the bubbles to keep fish and wildlife away during construction.

Linda Martin asked how long the project is expected to take and if it will have an economic impact.

Mr. Anderson commented that the Port realizes by having the dock offline, there will be an impact. We will have some areas designated for use while T-dock is not available. We prefer to do the work between mid-August to mid-February, when habitat impacts are lower. We will have a pedestrian detour around the site. Jenkins Dossen clarified that they are planning fall 2026 until early spring 2027. To support T-dock users during that time, we will utilize Curtis Wharf. It has more capacity to handle these needs during the construction window.

Public hearing opened.

No testimony taken.

Public hearing closed.

Mike Mills moved to recommend approval of SDP-2024-0005 subject to the 11 conditions of approval in the staff report. Paul Ryan seconded. All ayes.

2025 Comprehensive Plan Update - Proposed amendments to the Future Land Use Map, urban growth area boundaries, and the goals and policies in the Land Use, Housing, and Transportation elements.

Libby Grage gave an overview of the Comprehensive Plan process. The Comprehensive Plan is the primary policy document that guides growth and development consistent with the community's vision. The development regulations are specific laws governing how and where development occurs. These implement the Comprehensive Plan goals and policies. The deadline for completion of this process is December 31, 2025. The Comprehensive Plan includes 9 elements along with updates to the Anacortes Municipal Code (AMC), Development and Critical Areas regulations. We've had ongoing public outreach and communication, including the Planacortes webpage. The first phase includes data analysis, audits of existing documents, and reviewing what has changed since the last Comprehensive Plan update. City Council

established the 2025 docket of amendments. Some of those items will be discussed tonight. A climate team has been established. Draft revisions to goals and policies for Land Use, Housing, and Transportation elements were released for public review and comment. Currently, we are in a period of public comment. When this comes back to the Planning Commission in 2025, we will be bringing you the Economic Development, Utilities and Capital Facilities elements, which will be followed by more public hearings. Lastly, there will be the Parks & Recreation, Environment & Conservation, and Climate elements. Once we are done with all the elements, staff will compile a complete integrated draft Comprehensive Plan which is the start of phase 2. There will be public hearings, recommendation by the Planning Commission and adoption by City Council.

Ms. Grage reviewed the public hearing topics for tonight: Land Use element including the FLUM and Urban Growth Area boundary changes; Land Use Designation text amendments, and the goals & policies for the Housing and Transportation elements. Staff is requesting that the Planning Commission make a recommendation on the FLUM to City Council. She reviewed the webpage and where to find the documents for the various elements.

Libby Grage moved on to the staff recommendations for the FLUM. Proposed amendment #1 "Oklahoma", staff is not recommending the commercial overlays at this point, so this proposal is being recommended to be tabled indefinitely or until the next Comprehensive Plan update. She moved on to #2, the overlay concept at 37th St & Commercial Ave; next overlay area is between 12th St & H Ave; another was on Oakes Ave and lastly at D Ave and 29th St. Staff is not considering these overlay areas at this time. The locations are not as practical as originally thought. We also haven't had any requests for this type of development, so we would like to consider this at a later date. The next request is #3, Port of Anacortes Airport zoning change. Staff recommends approval. The next is #4, Fidalgo pool zoning changes to public. Staff recommends approval of this change. Regarding FLUM #5, the Skillings property change from industrial to residential, staff recommends approval. Then #6, Port of Anacortes marine terminal east of N Ave, staff recommends approval. She moved on to FLUM #7, Port of Anacortes Cap Sante marina area. This area has several different zoning designations, so the Port is requesting to change them all to CM. Staff recommends approving the northern portion, but keeping the current zoning for the west and southern parking lot. She moved on to FLUM #8, City of Anacortes request to add 9 parcels to the UGA with the intent of annexation and inclusion in the ACFL. Staff recommends approval.

Linda Martin asked if this requests includes the gravel pit.

John Coleman clarified the gravel pit would not be included in the ACFL. We will continue to use it for Facilities & Parks Department storage. There is a trail connection which we intend to keep.

Libby Grage referenced FLUM #9, Signal Hill, stating that they originally proposed a much larger area for inclusion in the UGA. City Council docketed only 3 of the parcels for potential inclusion in the UGA. Staff recommend denial due to the land capacity analysis, which determined that we have sufficient capacity to accommodate growth without including these parcels.

Public hearing opened.

No comment received.

Libby Grage moved on to draft goals and policies for Housing, Land Use and Transportation elements. There was no public comment given for the Land Use element.

Ms. Grage reviewed the Housing goals & policies tracker.

Xuhua Mu, Anacortes said she submitted 3 different comments via email. She hasn't had a chance to review the land use documents and wonders if there will be time for her to comment on that later. She read her submitted email regarding housing. As for integrating manufactured housing in all neighborhoods, these are built to HUD codes, not the residential site built codes. Lateral load for manufactured homes is different from site-built homes. Back in October, she reviewed the Attorney General complaints and the #1 complaint was the rent hike for mobile home rent fees. While these are economically affordable, she wonders if this makes sense for Anacortes.

Libby Grage brought up the transportation goals & policies tracker.

Xuhua Mu said she likes quite a few of these policies. She expressed concern that T-3.17 is completely out of date. She suggests really updating this document and making it relevant to today. All of the documents referenced are too out of date. Bike and pedestrian usage is very low. The highest volume is single-occupancy vehicles. Let's make sure we address the current needs first, then move on to those other modes of transportation. She recommends designing the transportation system for the needs of the users, not for the technology. She opposes the tracking system. She wonders what that data will be used for. A design problem will not be resolved by technology.

Andrea Dahl, Anacortes, expressed concern about access into and out of Anacortes via Highway 20 in the ferry area. She wonders if there is code that requires the ability to safely exit an area in a timely manner.

Libby Grage said she will look to see if there is code and get back to Ms. Dahl. We are looking to make sure that the City is ready for climate issues that could create these emergencies.

Erica Pickett, Anacortes, stated she's in favor of planning for bikes and pedestrians. She reminded drivers that when they see a bicycle or pedestrian, there's more space on the road for you to use. She recommends widening the shoulders on 12th Street to make emergency access more available.

Ms. Grage went back to the FLUM and referenced the staff recommendations in the packet.

Mike Mills commented he found that #8 was quite compelling; but #9 was less so. He understands that on paper the City doesn't need to expand the UGA, but the market will drive what actually gets built.

John Coleman clarified that if we can't demonstrate a need to extend the UGA, the County will likely not allow it, which is why staff recommends not including this in the UGA. Currently, we can accommodate growth within the city limits. At the time this was docketed, we did not have the land use analysis results.

Linda Martin said it's wise to deny this one because there is no need. Even if we did approve it, we would have to justify this to the County and we aren't able to do that.

Public comment closed

Jim Stoneman moved to recommend that the City Council pass a resolution to support the City's application to add the city-owned parcels to the urban growth area and direct staff to remove the properties owned by Signal Hill LLC from the urban growth area expansion application. Frank Jeretzky seconded.

Commissioners McCombs, Martin, Stoneman, Jeretzky and Currier ayes; Commissioners Mills and Ryan nays. Motion passes.

Other Business

Planning Department Update

John Coleman stated staff took the Planning Commission recommendations for the county planning policies to City Council last night. Ultimately, they chose to select 2 of the Planning Commission recommendations. They also recommended to support the CPP's as written with those to additions. Staff is working on those changes and will send that to the Skagit Council of Governments. There will not be a meeting on November 20, 2024.

We really appreciate all the work the Planning Commission has been doing. The next meeting will be December 11th to review the proposed ordinance to comply with HB 5290, which has to do with permit process timelines.

Adjournment

Chairperson Martin adjourned the meeting at 7:44 p.m.