

ANACORTES PLANNING COMMISSION



February 27, 2019

Municipal Building Council Chambers

6th Street and "Q" Avenue

AGENDA

5 P.M.

[VIEW PACKET MATERIALS HERE](#)

1. **Roll Call**
2. **Minutes of January 3, 9, 16, 23 and 30, 2019**
3. **Correspondence**
4. **New Business**
 - a. **Discussion: AMC Title 19 Development Regulations Update**

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.



Planning Commission SPECIAL Meeting Minutes for January 3, 2019

This is not a verbatim transcript of the meeting and is written in an attempt to capture the general spirit of the discussion based upon notes and video observation by the author. To view the video recording of this meeting, click [here](https://www.anacorteswa.gov/700/Watch-Meetings), or go to <https://www.anacorteswa.gov/700/Watch-Meetings>.

Chair McNett called the Special Meeting of January 3, 2019 to order at approximately 3:00 p.m.

Roll Call

Members Present: Commissioners MacKenzie, McNett, Cleland-McGrath, Mount and Doll

Absent: Commissioners Moffitt and Graf

Minutes

No Minutes were presented

Correspondence

None

New Business

Public Meeting – Public Meeting with Planning Commissioners, Stakeholders and Staff – Wireless Telecommunications Draft Regulations

Ms. Darcy Swetnam, City Attorney, introduced the first draft of the wireless telecommunication regulations within the City of Anacortes. Ms. Swetnam provided a brief review on the changes to the regulations for wireless telecommunication including the need to updates due to new technology such as small cell deployment and updates in state and federal laws. In August 2017, Council adopted Ordinance 3010 which placed a moratorium on new applications for telecommunication facilities and franchise agreements within the City, with an additional extension that was set to expire February 2019. City staff has been working on the new regulations with outside counsel from the Foster Pepper law firm to develop the new sections of code. Ms. Swetnam then invited Ms. Tacy Hass, Foster Pepper, to present more detail on the draft regulations.

Ms. Hass provided an overview of the two draft sections that consist of wireless services facilities and the public utilities and telecommunications right of way use chapter. Ms. Hass compared the wireless service facility permit process to a zoning permit process and provided what type of facility is allowed within different zones with 2 different types of permits – a wireless service facilities permit and a conditional wireless use permit. Ms. Hass included that the application processes take into account the differentiation between complex and simple facilities and streamline requirements in the applications in consideration of timelines for review and provide visibility and performance standards.

Chair McNett then offered the floor to members of the audience for their input and questions.

Ms. Lila Vaga, Network Engineer, Verizon Wireless, discussed concerns relating to eligible facilities requests, small wireless facilities and macro facilities and their differences, co-location definitions. Ms. Vega also suggested a few language changes to more closely mirror the federal regulations and pointed out that some middle requirements such as landscape plans, fencing plans, etc., are really not truly appropriate to small wireless facilities or small cells which are located in the public right of way and most often do not have ground based equipment. She also expressed concern about the CUP process being required for small wireless facilities which is generally not be something that could be accomplished in the 60-90 day approval window set out in federal law and suggested administrative review instead. Ms. Vaga provided Verizon has worked with many jurisdictions throughout the Pacific Northwest and nationally regarding small cell wireless and wireless facilities in general and offered their assistance in the development of these regulations.

Ms. Linda Atkins, Davis Wright Tremaine, Seattle, WA, representing T-Mobile. Ms. Atkins provided their concerns include how the different types of facilities that have different federal legal requirements and different processing requirements have been lumped into one process. Ms. Atkins believes it would be very helpful to have a separate process for small wireless facilities which is what most jurisdictions around Puget Sound are following as they update their codes. Ms. Atkins provided some examples of concerns such as there is no provisions for batching small wireless facility permits. Batching is a more efficient way of deploying small wireless facilities at one time. Also, there is concern regarding prohibited locations such as in the Central Business District because the whole purpose of small cells is to provide additional capacity in areas where there is a lot of demand for data. This is typically your downtown areas and we have been finding over the last year most jurisdictions have been able to find a way to incorporate the ability to locate small wireless facilities in downtown areas in a way that is sensitive to the community need for aesthetics.

A representative of Crowne Castle, an infrastructure management company, echoed similar concerns of the previous stakeholders and specifically the opportunity or lack thereof to contribute as a stakeholder in some of the provisions of this ordinance and hope that some of the comments brought forth today will be considered heavily and perhaps even a greater opportunity for some red line comments to go into the draft. The application requirements, replacement as opposed to new technology and the requirement for photo simulations, landscape requirements, were among the concerns presented.

Amelia McNamara of Crowne Castle, expressed concerns about the permitting process.

Patrick Gallagher, 1406 Portallis Court, Anacortes, discussed multiple entities using the poles and the clutter on the landscape and whether these procedures would be followed by the City as it rolls out the fiber network.

Commissioners asked for clarification to understand better the difference between the normal cell towers and coverage provided by those and the newer technologies, spacing of clusters to address densities, placing utilities in vaults, on rooftops, aesthetic issues, whether the regulations have been written to accommodate changing regulations and continuous technology updates, how this will work with the City's installation of the new fiber network, among other discussions. Commissioners also discussed locations of equipment in various sites in residential, industrial, medical and commercial zones, the differences between monopoles and street poles.

Commissioner Doll asked for clarification on what adverse impacts may be when locating wireless services. Ms. Swetnam provided the intent of that is to maintain a balance within the community such as keeping the aesthetics of a neighborhood as intended.

Chair McNett called the meeting to a close at approximately 4:30 p.m.

To view materials related to the Draft Regulations for Wireless Telecommunications, click [here](https://www.anacorteswa.gov/1022/Wireless-Code-Update), or go to <https://www.anacorteswa.gov/1022/Wireless-Code-Update>.



Planning Commission Meeting Minutes for January 9, 2019

This is not a verbatim transcript of the meeting and is written in an attempt to capture the general spirit of the discussion based upon notes and video observation by the author. To view the video recording of this meeting, click [here](https://www.anacorteswa.gov/700/Watch-Meetings), or go to <https://www.anacorteswa.gov/700/Watch-Meetings>.

Chair McNett called the meeting of January 9, 2019 to order at approximately 5:00 p.m.

Roll Call

Members Present: Commissioners Moffitt, Graf, MacKenzie, McNett, Cleland-McGrath, Mount and Doll

Minutes

Minutes of November 14 and 28, 2018, were approved as read.

Correspondence

None

Old Business

Public Hearing – Title 19 Development Regulations Update and Zoning Map Amendments

Chair McNett announced the procedure for the hearing and included the hearing will be continued to January 23, 2019, for further consideration.

Ms. Libby Grage, Planning Manager, presented the outline for the meeting and provided a brief presentation on the overall project goals and timelines. Ms. Grage provided a quick overview of the updates that have been incorporated into the third draft which was released on December 18, 2018, for public review. Ms. Grage included that staff would like to present to the Planning Commission for consideration a particular area here in town and a zoning clarification.

With no comments from the Commissioners, Chair McNett opened the public hearing.

Jeff Johnson, 2718 D Avenue, Anacortes. Mr. Johnson stated he is concerned with the change from R2 to R2A and allowing duplexes which he feels will damage the property values.

Chair McNett clarified that this is now the R2 zone and duplexes are conditional use and with the recommendations of the draft code here, we are looking at permitting them outright.

Dan Courtice, 1214 5th Street, Anacortes. Mr. Courtice asked why the border between Old Town and Light Manufacturing goes right down the middle of 5th Street and what the implications are of that. Mr. Measamer provided there are not any proposed changes in the Old Town designation perimeter.

Cliff Finkbohner, 3917 W 3rd Street, Anacortes. Mr. Finkbohner stated that in his review of the proposed changes from R2 to R2A, the impact looks like it can go from 4 to 6 houses per acre and the lot size can be reduced from 60 to 50 feet. Mr. Finkbohner asked if there are any other major changes in that designation.

Mr. Measamer provided that is the high point and is the main changes between the R2 and R2A zones. Mr. Measamer also reminded the audience that they can come in to City Hall and staff can answer any general questions and concerns.

Brian Wetcher, 814 26th Street, Anacortes. Mr. Wetcher thanked and congratulated the staff and the Commission for all the hard work they have put into the very complicated process. Mr. Wetcher asked for clarification on the boundary line change in the area of Lovrics and the original Gateway project and the rezoning. Mr. Wetcher stated it was his understanding that we are returning to the zoning that was in existence by moving a line southwards of light manufacturing at the time of the proposed Gateway project. Mr. Wetcher asked if this will provide the ability of another project similar to Gateway to be proposed in that area as well as what impact this zoning will make on the overall pathway and park zoning for the proposed Tommy Thompson Trail. He also asked how this Light Manufacturing zone would impact that trail development through the Lovrics area.

Chair McNett asked if there may be incompatibility issues having a zoning designation such as Light Manufacturing next to a residential zone.

Mr. Measamer clarified that this is not a zoning change and is a map clarification and our zoning ordinance currently requires that we bring it to the Planning Commission for recommendations to City Council. As a map clarification, when the Gateway Marina project shorelines permit was approved, that zoning was designated as Light Manufacturing. Lovrics was also designated as Light Manufacturing. The current map in your packet reflects that original boundary line and also includes the old railroad corridor. We are providing the new map with clarification of the placement of the boundary line as originally established. The design parameters in the current Title 19 with frontage improvement and design requirements for buildings would be required for any activity in that area as well as screening to residential zones. Additionally, a shorelines permit would be required and which is an additional public process. We do not believe this would be the trail. This is currently private property and various permitting processes would have to be applied for and the City would have the opportunity to work with those applicants in securing easements for the trail.

Nels Strandberg, 408 2nd Street, Anacortes. Mr. Strandberg stated he represents the owner of the proposed Gateway project and they hope to build a successful project there some day. Mr. Strandberg provided that the boundary line is a really a mapping error that is being fixed. Mr. Measamer confirmed that City staff has done extensive research going back years and found that when the maps were converted to digital, the lines started changing. This is a map error and the clarification is moving forward.

Mr. Strandberg discussed garage setbacks and believes the garage setback should be the same as the front yard setback. Mr. Strandberg also stated there needs to be a differentiation between a garage door and a garage and that the new code does not seem to allow for building side entry garages because of the setbacks. Mr. Strandberg believes that reducing the 25 foot setback will incentivize builders to build side entry garages and that in some other zones such as R4 and R4A, the setbacks are 20 feet and that does not seem clear whether it is referring to the garage or the garage doors.

Mr. Strandberg also suggested that the increases for lot coverage in the R4 if underground parking is provided should be applied in the R4A zone as well.

Mr. Strandberg provided the street design section could be designed better and that the current design actually makes them larger with the accommodation of curb, gutters and sidewalks.

Mr. Richard Beattie, 4608 Cutter Drive, Anacortes. Representing the San Juan Passage homeowners association, Mr. Beattie asked if the property adjacent to their development were sold prior to the change in zoning from the current Commercial Marine to the R2 zone, would there be assurance that the property will be designated R2 and not as Commercial Marine.

Mr. Measamer provided that area is currently zoned Commercial Marine and if a complete application were presented before the new codes are adopted, we would have to consider it under the Commercial Marine zoning.

Mr. Terry Schoenthal, 2714 Oakes Avenue, Anacortes. Mr. Schoenthal supports the modification of the R2 to the R2A near his home as even a slight increase in density will increase affordability of housing in the community.

Ms. Gail King, 2315 15th Street, Anacortes. Ms. King expressed concern over the comment period and believes it should be extended in order to have time to fully review the document. Ms. King provided she did not have enough time to review this document to fully understand issues such as concurrency fees, impact fees, and street size among other questions.

Mr. Measamer provided that the City of Anacortes has adopted impact fees for traffic and may possibly adopt a fire impact fee that would address development activities. There are also general facilities charges so for every single family unit that is built in Anacortes, impact fees are assessed to address the impacts of that development. Mr. Measamer is not aware of concurrency fee but invited Ms. King to come to City Hall where he can review the impact fee schedules with her.

Mr. Brian Gentry, a local community developer and home builder, asked that more thought be put into outdoor usable space and incorporating porch areas as open space. Mr. Gentry suggested that having some variance process for usable outdoor space would be helpful.

Chair McNett provided the description for open space which is defined as any part of a property which is unobstructed by structures from the ground upward.

Mr. Bob Bengford, Makers. Mr. Bengford provided that the standard Mr. Gentry was discussing applies to the minimum usable open space for single family residences. Mr. Bengford commented that as long as porches, back porches, or decks are part of the yard and not completely enclosed, that could be counted and may need to be clarified in the standard. Mr. Bengford said we can make that clarification but the intent is that should count.

Ms. Cynthia Richardson, 315 V Avenue, Anacortes. Ms. Richardson expressed concern as to how all the suggested changes will be reviewed and passed on between staff and the Commissioners and that there are some very big issues that need discussion, in particular the MMU zone. She also asked if the public comment period will be open longer than originally noticed.

Chair McNett provided that in determining the MMU, the Planning Commission did not have a consensus on this and so developed a range which the Council can decide on. Chair McNett stated that the Commission is thoroughly reviewing all the changes and comments for inclusion in the next draft. Between staff and the Commission, every single comment is being reviewed and evaluated.

Mr. Measamer provided that the public hearing this evening will be continued to January 23 at 5 p.m. and at that time, once the Commissioners close the public hearing, we will not accept public comment anymore. Mr. Measamer invited the public to provide their comments, either written or at the meetings and if anyone that has questions or needs clarification, please come to City Hall to meet with the Planning managers.

Mr. Jimmy Blais, 2405 1st Avenue, Seattle. Mr. Blais, as the representative of MJB Properties, provided his company has been working with this process for the past 8 years and thanked everyone for working to develop a more sound development regulation and comprehensive plan than we had before.

The MJB property is located north of 22nd Street and south of 17th. Their intent is to develop this as a standalone property that will incorporate mixed use development and not draw from the businesses in the downtown business area. Mr. Blais provided that the current zoning for that property does not allow for the type of development MJB would like to build which they believe will enhance Anacortes

Ms. Nancy Oemick, 2111 Pennsylvania Court, Anacortes. Ms. Oemick presented concern over cottage housing and how it could impact her neighborhood of single family, mostly senior living. Ms. Oemick believes that putting a cottage housing development adjacent to their development is incompatible with the intent of their development, none of the residents were

aware this would happen, and 100% of the residents in this development do not want this adjacent to their homes.

Mr. Measamer provided that when a project such as the cottage housing development comes forward, property owners would be notified and there would be processes to allow the neighbors to have input. Mr. Measamer pointed out that the hearing tonight is in regard to the development regulations. If you have a comment regarding cottage housing in general, we will make note of that. Mr. Measamer also provided that the City has conducted over 12 meetings on this subject and provided public notices in the newspaper and on the City website for every meeting.

Ms. Connie McMillan, 2611 Pennsylvania Court, Anacortes. Ms. McMillan supports everything that Ms. Oemick stated and also provided that if the zoning is changed from R2 to R2A in their area, the increased density would cause too much traffic on their road.

Chair McNett asked if Public Works has been involved in the development of these draft regulations. Mr. Measamer confirmed the PW Engineering Department has been involved from the beginning.

Mr. Frank Jeresky, 2212 10th Street, Anacortes. Mr. Jeresky spoke on the need to develop housing for people that earn more income above the poverty level but still below the typical housing costs associated with Anacortes.

With no further comments, Chair McNett continued the meeting to January 23, 2019 at 5 p.m. and called the meeting to a close at approximately 6:30 p.m.

To view materials related to the Draft Regulations for Title 19 Development Regulations Update and Zoning Map Amendments, click [here](#), or go to <https://www.anacorteswa.gov/202/Development-Regulations-Design-Standards>.



Planning Commission Public Hearing Minutes for January 16, 2019

This is not a verbatim transcript of the meeting and is written in an attempt to capture the general spirit of the discussion based upon notes and video observation by the author. To view the video recording of this meeting, click [here](https://www.anacorteswa.gov/700/Watch-Meetings), or go to <https://www.anacorteswa.gov/700/Watch-Meetings>.

Chair McNett called the Public Hearing of January 16, 2019 to order at approximately 5:00 p.m.

Roll Call

Members Present: Commissioners Moffitt, MacKenzie, Graf, McNett, and Cleland-McGrath

Absent: Commissioners Mount and Doll

Minutes

No Minutes were presented

New Business

Public Hearing – Public Hearing Wireless Telecommunications Draft Regulations

Chair McNett opened the public hearing on the Wireless Telecommunications Draft Regulations.

Mr. Allen Barber, Verizon Wireless, 3245 158th Avenue SE, Bellevue, WA. Mr. Barber expressed some concerns including the provisions in the Ordinance chapter 19.68.30 and the definition around co-location, keeping in alignment with the federal law or the needs of the technology, the land use process to permit which he feels doesn't allow for the shot clocks of 60 and 90 days, and screening requirements.

Commissioner Graf questioned using history to predict what the impact is going to be on a permitting process as the current technology will be different from the new technology and believes the new regulations will cause more applications coming through to City staff. Commissioner Graf asked how this process and requirements compare to other communities.

Ms. Tacy Hass, Foster, Pepper, provided input on how a facility would be installed on a new pole in the right of way. New construction would require 3 permits which would include a construction permit. Ms. Hass provided that the code is geared towards encouraging co-location, although it is not always feasible to place more than one facility on the utility pole. That may be one of the challenges the City is going to face.

Ms. Hass provided in response to questions regarding overwhelming the planning department with numerous applications that we only allowed batching of up to 5 small cell facilities at one time just because the federal regulation does take into account the fact that while there is presumptions, if a city cannot reasonably review all the applications within a timeframe then there is some leeway.

Mr. Measamer, Director of Planning, Community and Economic Development, provided there have been maybe 5 applications over the past few years and that the industry has been really good about contacting and working with the City in advance so we can be prepared. These processes get more complicated in areas such as Skyline or other newer developments where facilities are underground and we are looking at potentially having a mono-pole or some other type of pole in the right of way or on private property in those areas.

Ms. Darcy Swetnam, City Attorney, provided there will be several processes that the providers are going to go through. Not all process will require a master permit every time a small cell node is deployed. Once a master permit is in place, that is essentially a franchise and if they decide they want to build a small cell node in a particular neighborhood, if they are not going to be digging up roadway, they will not need a construction permit. They would have to get some type of land use permit. Ms. Hass mentioned the optional pre-application process included in the regulations is designed to help move the process along quickly. If the industry group member are worried about the time it is going to take, they can submit materials that will be helpful in their review process.

Ms. Hass provided they did review other cities and there are some different approaches. Some have more regulations so it is a mixed bag and a lot of the local aspects including aesthetics vary quite a lot from city to city. Most communities have a master permit process where they address right of way issues and then a separate land use process for the siting of the actual project. The discretion is really in the process for the individual land use applications.

Commissioner MacKenzie believes that if part of the scale and engineering standards and some infrastructure were built into the master permit application, it should simplify the individual permitting process. Commissioner MacKenzie expressed concern about the types of poles and does not feel that there is differentiation between the types of facilities and asked if he will get a big cell tower on his neighbor's property or a tiny box that will be hidden on top of the pole.

Ms. Hass provided there are three different applications – one for non-substantial change; one for small wireless facilities; and one that covers the remainder. We worked to differentiate the criteria while also keeping some consistency just in terms of making sure that even though they are technically called small wireless facilities, they can be much bigger because of the equipment surrounding them. We also are making sure that equipment still meets the visibility criteria the City wants in place. Ms. Hass added the City can consider adding more language that is technically feasible to address some of these concerns because clearly you can't really screen a small cell that is up 30 feet on a pole. But you can do other things like making sure there is landscaping around the equipment or doing stealth type camouflage and making sure that it fits into the surrounding environment.

Commissioner MacKenzie asked how to differentiate the regulations to accommodate the different areas such as Old Town where very many poles exist and the impact would be lesser than compared to Skyline where there are few poles where the impact would be much greater.

Ms. Hass responded that is the reason for the 2 processes and they are determined by area as opposed to the type of facility.

Commissioner Cleland-McGrath expressed concern over installing poles in neighborhoods that have been developed to create beautiful views. Ms. Hass provided this will be an issue for the City to work with in the future but that she has not specifically seen any issues regarding this.

Chair McNett asked about the conditional use process and timelines and shot clocks; how will the City handle the deadlines. Will the hearing examiner drop everything to make sure the issues can be addressed right away or is the City considering eliminating the conditional use process based on recategorizing what fits in what box. Ms. Swetnam provided it is the City's intent to make the shot clock timelines and be able to work through the processes within those timelines and added that if the Planning Commission believes it is not the right fit for Anacortes, they could provide that recommendation to City Council.

Chair McNett reviewed the conditional use process and requested clarification as to whether the clock stops when an application is received and reviewed, during the comment period and while waiting for the applicant to respond. Ms. Swetnam provided that is correct although the clock does not stop during the public comment period.

Commissioner Moffitt asked how competing needs of multiple providers will be met for co-locations on a single pole. Ms. Swetnam provided that whoever applies for something first probably has the opportunity to use that pole, but recalled from the previous meeting when the Verizon rep indicated this was probably unlikely because of how these small cells are deployed right now.

Commissioner Cleland-McGrath asked in regard to long-term planning where there are no poles. Mr. Barber provided that a strategy that works in some cities is utilizing street lights. If there is no lighting then it is more of a challenge and you have to go with slim-line poles, small antennas to minimize the initial impact. Commissioner Cleland-McGrath asked if we have the verbiage in the regulations that says if there is not a pole that we encourage a light pole to be installed for these kinds of boxes.

Ms. Swetnam provided it is not currently included but the approach utilized through the application process gives the director some discretion. If it is a CUP process, the decision makers have some discretion to work with the applicant to try to make it visually appealing.

Mr. Bruce McDougal, Anacortes City Council Sysco Systems. Mr. McDougal asked for some clarification on density increases in the transition from 4G to 5G and whether they will be the same with no additional radios or equipment in the transition. Mr. Barber provided it would be significantly denser. Mr. McDougal and Mr. Barber discussed the differences in density on light poles of different heights and how many large cell poles in a town the size of Anacortes would need.

Commissioner MacKenzie asked if the master use permit included as much of the technical requirements as possible, would that alleviate some of the time crunches when processing the smaller permits that come along. He also asked how hard is it to modify a master use permit if the technology or hardware changes after they have been preapproved. Ms. Hass referred back to a previous discussion regarding the master use permit and that only one is required which allows use in the right of way; changes would really only occur if they are building something new in the right of way or constructing something new.

Ms. Swetnam provided she understands the concerns to create a more streamlined process and that is something that staff can discuss and see if that is possible. She added the challenge with that is we know that each of the providers has slightly different technology; they want to do different things and so it is really hard for us to anticipate in a master permit all of the types of applications that they are going to want to submit. If the carriers are going to put an application on top of an existing light pole or power pole, that is a very different request than putting in a new pole. Having a separate wireless service facility permit or CUP allows us to readdress the conditions and whether that specific project meets them, without having to anticipate. We want this to be a code that is robust enough that as the technology changes, we can roll with it instead of having to rewrite it and the concern would be that if we were overly prescriptive in a master permit process, we might be locking ourselves into a moment in time in terms of the technology.

Commissioner MacKenzie asked if there is a way to streamline the land use process. Ms. Hass provided that the goal is to balance both – deployment of these new facilities with preserving the historic and residential quality of neighborhoods. That is why there is the CUP versus a more streamlined administrative process.

Chair McNett believes it makes sense to process these administratively and the biggest concerns are the aesthetic impact in neighborhoods and streamlining the process. Chair McNett also shared that a major concern are the macro towers.

Commissioner Graf presented he is not fully convinced that we do not have an overly restrictive application process.

Mr. Measamer provided that we have a good starting point regarding the number of applications, types of applications, etc. Once an ordinance is approved by the City Council and we start working through the administration processes and various applications, if issues arise that need attention, we will come back to the Planning Commission and City Council with some recommended changes that might help everybody through the process.

With no further public comment, Chair McNett announced the public hearing will be continued to January 30, 2015 at 5 p.m. and closed the hearing at approximately 6 p.m.

To view materials related to the Draft Regulations for Wireless Telecommunications, click [here](https://www.anacorteswa.gov/1022/Wireless-Code-Update), or go to <https://www.anacorteswa.gov/1022/Wireless-Code-Update>.



Planning Commission Public Hearing Minutes for January 23, 2019

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Chair McNett called the Public Hearing of January 23, 2019 to order at approximately 5:00 p.m.

Roll Call

Members Present: Commissioners Moffitt, Graf, McNett, Cleland-McGrath, Mount, and Doll

Absent: Commissioner MacKenzie

Minutes

No Minutes were presented

Executive Session (15 Minutes) per RCW 42.30.110(i)

At approximately 5:01, Chair McNett announced that the Planning Commissioners would convene in Executive Session for approximately 17 minutes to discuss potential litigation. At approximately 5:17, the Planning Commissioners returned to the Council Chambers and Chair McNett called the meeting back into regular session. No action was taken in the Executive Session.

Old Business – Continued Public Hearing: Development Regulations Update.

Chair McNett opened the public hearing and invited the public to provide comments and input.

Rene Beliveau, 1408 18th Street, Anacortes. Mr. Beliveau expressed concern over height increases and obstruction of view properties. A review process should be given if the height increases will obstruct the views. Mr. Beliveau also believes a limit should be put on the number of short term rentals (Airbnb) as they do not add to the housing stock, take away from low income housing and just become transient housing. Mr. Beliveau also expressed concern over cottage type housing and the increased density they can create.

Ms. Nancy Oemick, 2111 Pennsylvania Court, Anacortes. Ms. Oemick presented concerns about cottage style housing being developed adjacent to her neighborhood and how it would impact the wetlands and habitat.

Mr. Gene Derig, 1302 K Avenue, Anacortes. Mr. Derig referred to correspondence from the GEMS regarding parking in the R2A zone. Mr. Derig does not support the request in that correspondence.

Mrs. Marilyn Wells Derek, 1302 K Avenue, Anacortes. Mrs. Wells Derig does not agree with the requests presented in the Farah Ali submittal.

Mr. Steve Williams, Rock Ridge Community Association, Anacortes. Mr. Williams provided he supports the concerns presented by Nancy Oemick and how cottage style housing would negatively impact the aesthetics of the area.

Ms. Marilyn Stadler, 2301 35th Court, Anacortes. Ms. Stadler asked for clarification on height increases in the R4 zone to which Ms. Libby Grage, City of Anacortes Planning Manager, provided the proposed language for height increases. Ms. Stadler provided she does not support this in the area adjacent to her home as this will allow more housing in an area that is already overcrowded.

Mrs. Susan Rooks, 1219 10th Street, Anacortes. Mrs. Rooks supports requiring owners of ADU's to live on site.

Mr. Tom Glade, 210 Mansfield Court, Anacortes. Mr. Glade does not support the density increases proposed in Title 19.

Mr. Brian Wetcher, 814 26th Street, Anacortes. Mr. Wetcher expressed concern over a possible change in zoning in the Guemes Channel area that may occur because of the correction to the boundary line which was discussed at the January 9, 2019, Planning Commission meeting. Mr. Wetcher is concerned that this will allow development that is incompatible with the area.

Mr. Don Measamer, Director, City of Anacortes Planning, Community & Economic Development, provided that the clarification does not include the GEM's property and the area is already zoned manufacturing and shipping.

Mr. Hal Rooks, 1219 10th Street, Anacortes. Mr. Rooks urged the Planning Commission to not try to deal with the GEMS proposal dated January 18, 2018.

Mr. Terry Arnett, 2507 Oregon Avenue, Anacortes. Mr. Arnett does not support the additional density proposals and believes the noise issues generated from the Navy planes are incompatible with higher density.

Mrs. Pam Allen, 14533 Jura Place Anacortes. Mrs. Allen addressed the garage setbacks and provided a recommendation that will improve the draft. Mrs. Allen believes the garage setbacks as proposed in 19.42.020 should be removed and keep the same setback as the underlying buildings. Ms. Allen believes that the proposed regulations will not allow creative development of smaller lots and create higher costs.

Ms. Nancy Oemick added that there are other areas within the city that could be redeveloped and allow lower income families to live closer to the amenities such as transportation,

shopping, hospitals, libraries, etc. Ms. Oemick stated none of those amenities are available in her area.

Mrs. Cynthia Richardson 315 V Avenue, Anacortes. Mrs. Richardson reiterated her question from the previous meeting as to how the Planning Commission will determined which of these many requests and suggestions will be incorporated into the draft that goes to the City Council. Mrs. Richardson said that while many suggestions have been incorporated, many have not that are very important.

Mr. Measamer provided the Planning Commissioners will have plenty of time for discussion on the comments as they are received. Staff and the consultants are working on a comment matrix that will identify all the comments received, how they have been addressed, and provide responses to some of those. The Planning Commission will prepare the findings of fact and forward their recommendations with potential changes to draft 3 on to City Council. No public comments are required at that point although the City Council can ask for comments on specific items if they believe it necessary. They can also send certain items back to the Planning commission for further review.

Mr. Alan Schroeder, 4819 Portalis Way, Anacortes. Mr. Schroeder supports the comments made by Ms. Allen and Mr. Strandberg and believes that the proposed regulations would not allow them to construct the same type of properties as they have in the past.

Mr. Jimmy Blais, 2405 First Avenue, Seattle, representing MJB. Mr. Blais urged the Commissioners to review the small details that may cause a project to become much more expensive to develop.

With no further public comments, Chair McNett closed the public hearing and provided that City staff would continue to take written comments until February 13, 2019. Chair McNett encouraged anyone with additional comments to submit them to City staff and the Commissioners would begin their review of all the comments after that date.

The meeting was adjourned at approximately 6 p.m.



Planning Commission Public Hearing Minutes for January 30, 2019

This is not a verbatim transcript of the meeting and is written in an attempt to capture the general spirit of the discussion based upon notes and video observation by the author. To view the video recording of this meeting, click [here](https://www.anacorteswa.gov/700/Watch-Meetings), or go to <https://www.anacorteswa.gov/700/Watch-Meetings>.

Chair McNett called the Public Hearing of January 30, 2019 to order at approximately 5 p.m.

Roll Call

Members Present: Commissioners Moffitt, Graf, McNett, and Cleland-McGrath, Mount, and Doll

Absent: Commissioner MacKenzie

Minutes

No Minutes were presented

New Business

Public Hearing – Public Hearing Wireless Telecommunications Draft Regulations

Ms. Tacy Hass, Foster, Pepper, Seattle. Ms. Hass provided an update on the code draft and reviewed the changes made based on the previous feedback.

Chair McNett opened the public hearing on the Wireless Telecommunications Draft Regulations.

Ms. Kim Allen, WPG on behalf of Verizon Wireless. Ms. Allen stated she has been working with Planning, Community & Economic Development Director Don Measamer and City Attorney Darcy Swetnam to provide input to develop a code that is durable and facilitate bringing this technology into Anacortes. Ms. Allen expressed concerns over the Type 3 permits and the shot clock running during a hearing examiner process, the conditional use permit requirements, setbacks, and screening requirements. Ms. Allen provided that Verizon typically self-insures in these instances and asked the City for an option to allow Verizon to demonstrate that they can provide equivalent insurance to the City.

With no further public comments, Chair McNett closed the public hearing.

Commissioners discussed how the City's draft regulations compare to other similar jurisdictions in regard to small cell wireless facilities and clarification of what small cell wireless facilities actually are. Discussion included if the code takes into consideration future technology and if the code will accommodate future cell providers.

Chair McNett asked about the ability for a carrier to self-insure; Ms. Darcy Swetnam provided the reason the City does not allow self-insurance is that the City's insurance carrier prefers that

the City carry the insurance to make sure there is coverage and that it is the City Attorney's office recommendation the City maintain the insurance requirement.

Commissioner Graf discussed how other jurisdictions have made the small cell wireless permitting a separate process which he believes provides more clarity. Ms. Hass provided codes from other communities were reviewed and that small wireless facilities are a bit different, but given the size of the equipment can be up to 28 cubic feet, the City wants to make sure there were the same protections in place in terms of screening, visibility and that numerous small cell facilities are not necessarily placed all over town without some consideration to the other elements.

Commissioner Graf asked about the City charging fees for use of the city owned poles and Ms. Hass provided that the federal regulations limit how much a city can charge which is based on reasonable approximation of the actual costs.

Commissioners discussed the use of a conditional use permit and asked for clarification on when and for what instances the CUP would be used. Ms. Hass provided that the CUP would be used in residential zones on new poles only.

Discussion included the language pertaining to densifying or filling in gaps and whether that information can be used to deny an application. Ms. Hass provided the information requested is to help clarify whether the use is needed or not but that the requirement does not necessarily involve an extensive analysis by the carriers.

After much discussion by the Commissioners, a conclusion was made that most of the concerns were addressed and the Commissioners were ready to make a motion to move the regulations to City Council for approval. Commissioner Mount made a motion to recommend City Council adopt the proposed amendments subject to the adjustments discussed at the meeting tonight and added that the motion include directing the Chair sign the findings of fact and conclusions. Motion was seconded by Commissioner Doll. Vote: Ayes – Commissioners Moffitt, McNett, Cleland-McGrath, Mount, Doll. Nays – Commissioner Graf. Motion Passed.

With no further discussion, Chair McNett concluded the meeting at approximately 7 p.m.

To view materials related to the Draft Regulations for Wireless Telecommunications, click [here](https://www.anacorteswa.gov/1022/Wireless-Code-Update), or go to <https://www.anacorteswa.gov/1022/Wireless-Code-Update>.



Planning Commission Agenda Bill

Meeting Date: 2/27/2019 **Agenda Item:** Click here to enter text.

Subject: Development Regulations Update: Wrap-Up Topics

Staff Contact: Don Measamer, Libby Grage

Approved for Submittal to PC by	
	Laurie Gere, Mayor
x	Don Measamer, PCED Director
	Darcy Swetnam, City Attorney

Action Type	
	Public Hearing
	Staff Report
x	Discussion

Summary Statement: At the 2/27/19 Planning Commission meeting, staff will refer to the attached Discussion Topics Memo, which was originally prepared as part of the [packet](#) for the 2/13/19 meeting (canceled due to snow). For tonight, it is suggested that Planning Commission discussion focus on the following topics:

- Owner occupancy requirement for accessory dwelling units (ADUs)
- R4 zone building height bonus – option for providing a certain percentage of small(er) units in exchange for addition 10' in height
- Garage setbacks from street
- Marine Mixed Use zone on Fidalgo Bay – appropriate mix of uses and other items

Background: At the January 23, 2019 Planning Commission meeting, the public hearing was closed, but the written comment period was extended to February 13, 2019. The project team is working to finalize the 3rd Draft comment matrix with project team responses and suggestions and will provide it prior to a subsequent PC meeting.

The full 3rd Draft and additional project background information can be viewed on the [project website](https://www.anacorteswa.gov/202/Development-Regulations-Design-Standards).
(<https://www.anacorteswa.gov/202/Development-Regulations-Design-Standards>)

Previous Council/Committee/Commission Action: None.

Competing Viewpoints Considered: A public hearing was held on January 9 and 23, 2019. The written comment period ended on February 13, 2019 at 5:00 PM.

Recommended Motion: None

Attachments:

Discussion Topics Memo (dated 2/11/19) from the 2/13/19 PC packet
Public comments received 2/12/19 – 2/13/19 (end of public comment period)

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Planning, Community, & Economic Development Department

Don Measamer, Director

Memo

To: Planning Commission
Date: February 11, 2019
From: Development Regulations Update Project Team
Subject: Discussion Topics for 2/13/19 meeting

DISCUSSION ITEMS

1. Accessory Dwelling Units – Owner Occupancy Requirement

Current provisions: Existing AMC 19.44.020.D.3 requires that one of the dwelling units must be occupied by one or more owners of the property as the owner's permanent and principal residence. "Owners" includes 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.

3rd Draft Approach: Based on Planning Commission direction at the July 25, 2018 meeting, the owner-occupancy requirement was removed from Draft 3. The owner-occupancy requirement was identified as a potential barrier to development of additional ADUs because it creates uncertainty for an owner if their status changes (e.g. military servicemember deployments, long-term vacationing, family member care, moving). It was brought up again at the 11/28 PC meeting, but the majority opinion was to maintain that decision.

Public Feedback: This topic has since been raised again as a potential concern by some commissioners. Some feedback has focused on how the short term rental market may interface with ADUs.

Considerations:

Consideration	Benefits	Drawbacks
1a Retain existing owner-occupancy requirement	Having on-site property owner(s) may result in better maintained property	Can be challenging to enforce and treats ADUs differently than other permitted housing types that do not have requirement for the owner to live on-site (e.g. SFR, duplex, etc.)
1b Remove owner-occupancy requirement	Enhances certainty for property owners and streamlines processes for ADU permitting, potentially encouraging their development	Owner may not live on site

2. R4 Zone Building Height Bonus

Current Provision: Existing AMC Ch. 19.46 provides for a maximum building height of up to 50' in a limited portion of the R4A zone when permanently affordable renter-occupied housing units are provided. There are no current provisions for height bonuses in the existing in R4 zones.

3rd Draft Approach: The 3rd Draft proposes a 10' height bonus in the R4 zone when the development complies with the income-based affordable housing standards set forth draft AMC 19.42.060.

Public Feedback: Some members of the public and commissioners have requested alternative options be considered for achieving the bonus height in the R4 zone.

Considerations:

Consideration	Benefits	Drawbacks
2a Alter the bonus incentive for the R4 zone (AMC 19.42.060) by allowing a 10 feet height increase (up to 50 feet) if at least 25 percent of units within a development do not exceed a maximum of 600 square feet, and remove the affordability and design requirements of 19.42.060.	Potential for more smaller units and increased supply may indirectly affect housing costs	Does not guarantee permanent affordability of units provided
2b Alter the bonus incentive for the R4 zone (AMC 19.42.060) by allowing a 10 feet height increase (up to 50 feet) if at least 25 percent of units within a development do not exceed a maximum of 600 square feet, and keep the affordability and design requirements of 19.42.060 as another option.	Provides another option for affordable housing	Program less likely to be used with new size-based provisions

3. Garage street setback in residential zones.

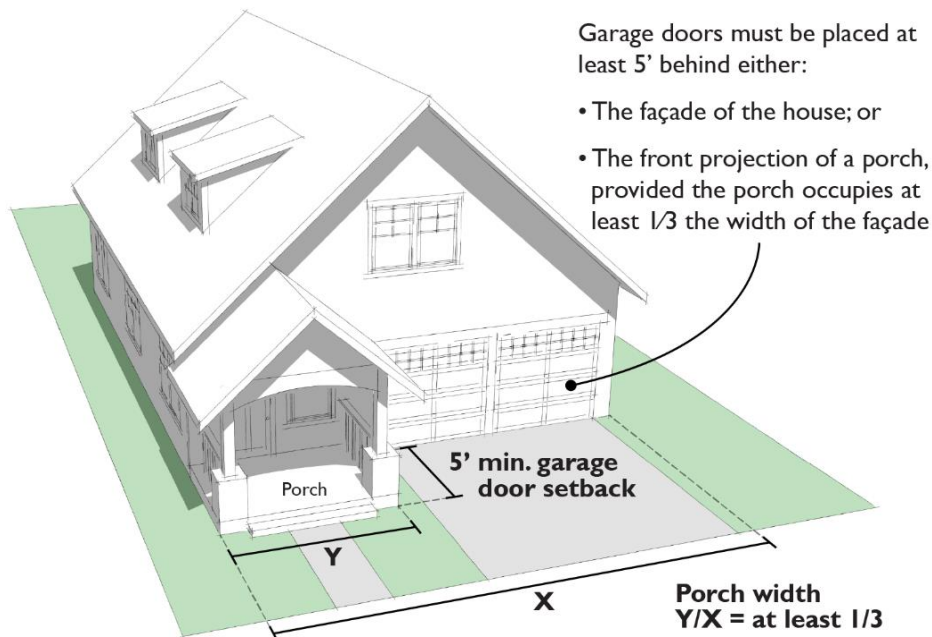
Current Provision: Existing AMC Title 17 requires a 20' front/street yard setback in the R1, R2, and R3 zones. 10' is required in R4, R4A and R4B.

3rd Draft Approach: The 3rd Draft proposes a 20' street setback in R1, R2, R2A, R3 and R3A zones, with a minimum of 25' street setback to the garage doors. There are also special garage standards (maximum width) that apply to small lots (<5,000 sq. ft.), duplex, and triplex development.

Public Feedback: Some public comments expressed concern about the required 25' garage setback, including reduced floor plan and lot design flexibility and challenges posed by physical lot characteristics.

Considerations:

Consideration	Benefits	Drawbacks
3a Reduce the standard garage setback to 20', and add provisions requiring all single-family, duplex, and triplex garages to be setback 5' from the front façade of the house or a porch which is at least 1/3 the width of the front façade. [Note: Porches may extend into the street setback per AMC 19.42.150(C) and (D)].	Addresses most lot and house design flexibility concerns raised, while still minimizing the impact of garage doors on the streetscape.	Additional design regulation that must be administered and enforced.



4. Marine Mixed Use Zone (East of Q Avenue)

Current Provision: The area proposed for MMU zoning east of Q Avenue is currently zoned CM1. Multifamily is a conditional use if it is “part of a mixed-use complex [and] provided that all residential units are located above the ground level (with the ground level being utilized for purposes which are permitted uses in this zone)” (AMC 17.22.040).

3rd Draft Approach: Under the household living standards [see AMC 19.43.010(G)(3)(c) and (H)(3)(b)], single-purpose residential buildings (including townhouses and multifamily with residential units on the ground level) and associated site areas (parking, landscaping, service) are limited to 49-60 percent of the site area (Planning Commissioners agreed to a percentage range, understanding that the City would ultimately need to choose a specific percentage if using this approach). The intent to this approach is to emphasize a mix of non-residential uses on the ground floor of the subject sites, while integrating flexibility for residential uses, particularly on upper floors. Note that the draft didn't clarify how buildings with a mixture of residential and non-residential uses on the ground floor were counted with respect to this provision. Also note that the provisions allow the percentage to be increased through a framework development plan (AMC 19.61.180).

Public Feedback: A number of comments from the public and planning commissioners indicate concern that the proposed residential use provisions don't meet the intent of the comprehensive plan and could be simplified.

Considerations:

Consideration	Benefits	Drawbacks
4a Clarify that “mixed-use” buildings meeting the criteria below will not be classified as a single purpose residential building for the purpose of complying with the subject use standards: - At least 50 percent of the ground level building frontage is designed to accommodate non-residential uses, meaning: - Spaces feature 13-foot minimum floor to ceiling height. - Spaces are at least 50 feet deep.	Ensures that the building is designed to accommodate non-residential uses on at least one-half of the building's frontage	Approach may not match current market conditions

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

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



Example would meet the proposed use provisions in AMC 19.43.010(G)(3)(c) and (H)(3)(b) using the mixed-use building clarification language in consideration 4a above.

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

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



Example would **NOT** meet the proposed use provisions in AMC 19.43.010(G)(3)(c) and (H)(3)(b) using the mixed-use building clarification language in consideration 4a above.

Total site area = 10.7 acres

Commercial/mixed-use site area:
3.7 acres (35%)

Single-purpose residential uses:
7.0 acres (65%)

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Public Comments Received 2/12/19 - 2/13/19

From: [Arlene French](#)
To: [Measamer, Don](#); [Grage, Libby](#)
Cc: [Gere, Laurie](#)
Subject: Comments on 3rd Draft Development Regs
Date: Tuesday, February 12, 2019 3:12:47 PM

Planning Commissioners, Mr. Measamer, and Ms. Grage

There are two items that I hope you will *not* allow/permit in the new Development Regulations Code..

First, I understand that you are still proposing to allow Absentee Landlords for ADU's. The owner should be required to live on the premise, otherwise you are creating rental units with absentee landlords. Without the owner on premise, residential neighborhoods could have more unkempt yards, too many residents per unit, too many cars for the residence and any number of problems that come with rentals. It's not that difficult to require an annual acclamation of residency, with penalty for failure to adhere. Since the City already operates on a complaint driven system, neighbors who are aware of absentee landlords will most likely report it.

Second, I have been made aware of a new proposed Permitted Use in Residential Zones. I am opposed to the proposal to allow Museums of less than 10K sf, to be a permitted use, outright, in Residential Zones. This should not be allowed, as it takes away the neighborhood residents' right to voice their concerns about the use. We fought hard for a Public Participation policy and any proposed use of residential property for a Public Facility should be a Conditional Use. It seems to me that any proposed location would have a different set of issues, which the neighbors should be allowed to address in a public meeting.

Thank you for your consideration,

Arlene French
1411 8th St.
Anacortes WA 98221
360-293-0142

From: [Cherie Goyer](#)
To: [Measamer, Don](#)
Cc: [pced](#)
Subject: Comments on the Rezoning Proposal
Date: Tuesday, February 12, 2019 4:51:27 PM

February 12, 2019

Don Measamer
Director of Planning & Economic Development
City of Anacortes
PO Box 547
Anacortes, WA 98221
don@cityofanacortes.org

Dear Don:

I am a resident of the Rock Ridge development in Anacortes. I am deeply concerned about the proposal for rezoning this area from R2 to R2A.

My main concerns are as follows:

- Traffic, parking, and pedestrian safety in the proposed R2A zone
- Types of homes that could be build that do not fit with the homes in the area. Not in keeping with low density zoning
- Forest lands, and water impact of the area
- Lot sizes and lots per acre

Building more in the zone R2A would increase traffic, parking, and pedestrian safety. Many people in the area walk the neighborhoods daily, and would need wider roads for the increase in traffic (especially on the narrow part of Anacopper Mine Rd) which is already unsafe for pedestrians.

Any future development built in the R2A zone should fit in with the ascetic of the surrounding communities and HOA's. No changes to existing setbacks for garages, sidewalks, and property lines on building lots will help to conform to existing surrounding communities. One part of the zoning proposal includes decreasing the building lot size from 7500 to 6000 sq. feet in this area, another is to increase the amount of homes per acre from 4 to 6 units. Both of these will increase traffic, congestion, and impact pedestrian safety in these areas. Keeping current setback and lot size limitations will ensure minimized environmental, traffic and safety impacts for our community.

An environmental impact study needs to be included in the permitting process for land parcels that could impact sensitive wetlands and possibly our community forest lands such as the property adjoining Rock Ridge along Anacopper Mine Road. This study will help to determine required setbacks from these sensitive areas. I am also concerned about potential drainage onto properties based on how homes may be situated on a lot and how it will impact the neighboring homes and communities.

Thank you for taking these concerns to the Planning Commission and adjusting the rezoning plans with respect to these concerns.

Sincerely,

Justin & Cherie Goyer

2203 Oregon Ave

From: [Ann Green](#)
To: [pced](#)
Subject: Rezoning R2 to R2A
Date: Tuesday, February 12, 2019 3:28:00 PM

12 February 2019

The Anacortes Planning Commission

My name is Ann C. Green and I have been a resident of the Rock Ridge Development since October 1999. I am extremely concerned about the proposal to rezone this area from R2 to R2A.

The primary concern is regarding the impact of the zoning proposal is the negative impact it will have on:

Our environment, especially the fragile Anacopper area wetlands and surrounding forests of Cranberry Lake.

Traffic congestion, increased street parking and safety in the neighborhood and on Anacopper Road.

An environmental impact study needs to be included in the permitting process for land parcels that could impact sensitive wetlands and possibly our community forest lands such as the property adjoining Rock Ridge along Anacopper Mine Road. This study will help to determine required setbacks from these sensitive areas.

No changes to existing setbacks for garages, sidewalks, and property lines on building lots will help to conform to existing surrounding communities. One part of the zoning proposal includes decreasing the building lot size from 7500 sq. feet to 6000 sq. feet in this area which will increase traffic, congestion, and impact pedestrian safety in these areas.

Keeping current setback and lot size limitations will ensure minimized environmental, traffic and safety impacts for our community.

Thank you for considering these concerns and adjusting the rezoning plans with respect to these concerns.

Sincerely,

Ann C. Green
3808 W. 11th Street
Anacortes, WA
98221

From: [Nancy Oemick](#)
To: [Measamer, Don](#); [Grage, Libby](#)
Subject: Anacortes Rezoning Proposal, as of February 13, 2019
Date: Tuesday, February 12, 2019 7:34:42 PM

This email is being submitted to comply with the February 13, 2019 deadline imposed by the City of Anacortes Planning Commission regarding the proposed rezoning of our neighborhood from R2 to R2A. The comments below were compiled as a result of discussions and meetings with the residents in Keystone, Rock Ridge, and Copper Pond subdivisions. Please include these public remarks as part of the upcoming presentation to the Mayor as this proposal moves forward.

Many thanks, Nancy Oemick

Proposal to City of Anacortes Planning Commission - February 12, 2019
Regarding Development of Strandberg Property Adjoining Keystone & Copper Pond Developments

Submitted by Property Owners of:
Keystone, Rock Ridge, and Copper Pond Developments

As stated in recent presentations made to the City of Anacortes Planning Commission on Jan 9, 2019 and Jan 23, 2019, the residents of this area are opposed to high density development on this parcel. This is a relatively new neighborhood of Single Family Residences. People who purchased homes here did so thinking that additional development would be SFR, in keeping with the existing neighborhood. High density development is completely at odds with the values in this neighborhood. Further, Anacortes already has many older high density neighborhoods which would be greatly improved by redevelopment. These areas, primarily located on the east side of town, already have good access to shopping, schools, churches, transportation and medical facilities. Many of us are retirees who moved here to escape high density communities. We feel this zoning change is being imposed on us without considering our values or the motivation that led us to choose to live in this part of Anacortes. This area still offers a feeling of open space and natural habitat, and we had hoped this would be preserved. We urge you to consider our request to maintain these values by requiring SFR development on this parcel.

With regards to the specific property owned by Strandberg, we submit the following comments for your consideration.

(1) The City of Anacortes' website does not state that an environmental study has been done on this property. Until this is complete, the environmental buffer

around Copper Pond cannot be determined. It seems to make logical sense that rezoning this area would be contingent on the environmental assessment, rather than imposing higher density development before the environmental study is done. The Port of Anacortes recently purchased property which adjoins the airport and lies just west of the subject parcel. An environmental impact study of the Port parcel established a rating that requires a 100 ft. buffer around the drainage basin. The marshy areas/wetlands on the Port parcel appear to be similar in nature to the Copper Pond parcel. We request a minimum buffer of 110 ft. for residential construction on the Strandberg parcel. We also request that the City provide public updates once the environmental study is initiated.

(2) Architectural design, to be compatible with the Craftsman style homes built in Keystone, in style and paint color selections, so as to blend into the existing community. This is important to our neighborhood, because some of the new high density contemporary condo developments currently proposed would be architecturally unsuitable for this neighborhood -- i.e., the proposed new condo development near the ferry terminal.

(3) An open space buffer requiring that structures be at least 20 feet from the fence line which separates the Keystone and Copper Pond developments from proposed Strandberg development.

(4) No changes to existing setbacks for garages and sidewalks. Setbacks should conform to existing setbacks in the surrounding communities of Rock Ridge, Keystone and Copper Pond. Specifically, we are requesting that developers' recent requests to reduce setbacks, thereby resulting in increased density, be denied.

(5) A requirement that there be only vehicle entry to the development, situated on the northeastern corner of the Strandberg parcel. The existing access road into this parcel from Anacopper Mine Road is unsuitable because it infringes on Copper Pond wetland drainage basin, and it should be restored to wetland status.

(6) Development on this parcel should be carefully weighed against the environmental impact to this highly sensitive and fragile area. The Anacopper wetlands, including Copper Pond and the surrounding drainage basins need to be protected and preserved. A thorough study should be completed before development is approved, and appropriate buffers should be established to protect the wetlands. It is important to note our proximity to the forestlands of Cranberry Lake, a true Anacortes treasure. Future development must be done with the least possible impact on this irreplaceable natural habitat. The goal of achieving higher density should not be met at the expense of sacrificing natural habitats and imposing negative environmental influences. Anacortes is an incredibly unique and special place, and the push for higher density must not

threaten to destroy everything we love about living here.

(7) Traffic congestion and pedestrian safety along Anacopper Road is a major concern for our neighborhood. Anacopper Road runs right through the wetland, and actually intercepts the Copper Pond drainage basin. This road is not safe for vehicular traffic or pedestrians ... there is no sidewalk, and no shoulder where cars can safely pass pedestrians. Pedestrian traffic is at risk going to and from Tursi Park, and this should be addressed before additional development increases the problem.

(8) Environmental issues resulting from increased traffic volumes on Anacopper Road need to be addressed. Recent development of Rock Ridge has resulted in a major increase in traffic through the Copper Pond basin. Residue from automobile oil, and other vehicular by-products have a negative environmental impact on these sensitive wetlands. Future development plans should focus on providing alternative access routes. Additional traffic should be directed away from the Copper Pond drainage basin, rather than simply adding more traffic to Anacopper Road.

Respectfully submitted,
Nancy Oemick, 2111 Pennsylvania Ct., Anacortes WA

To City of Anacortes Planning Department 2/12/2019

Regarding updates to the City's Title 19 code:

I'm writing to request that when considering the proposed Title 19 zoning and land use changes, the City Council include the opportunity for more public comment during their review.

I believe that there are significant issues that remain to be settled with in the code, such as ADU rules and the balance of uses in the new MMU zone. Increased public input on the difficult issues, from a broader section of our citizens, will produce better results.

Sincerely,

Andrew Stewart
3508 W 8th pl.
Anacortes, Wa
98221

From: sara@saraholahan.com
To: [Grage, Libby](#); [Measamer, Don](#)
Subject: Code comments
Date: Wednesday, February 13, 2019 2:42:27 PM

Dear Ms. Grage and Mr. Mesmer,

Please consider the following comments. Also, I tried to call the Planning Department this week and no one was there to answer. I assume this is related to the snowy conditions. With the Planning Commission Meeting cancelled, I hope that you would consider extending the comment period until the next planning commission meeting. Thank you.

Sara Holahan, 1511 38th St. Anacortes, WA

Comments on Draft Development Code	Sara Holahan	Feb. 13. 2019
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19.42.150(B)

Flag lots can cause considerable impact on existing homes and neighborhoods. The elimination of the front yard set back increases the likelihood of a new house overshadowing an existing home. No other lot is exempt from a front yard, why would a flag lot be any different? The 20' front street set back requirement is not unreasonable. Although it could lead to the lot needing to be larger in size, this extra square footage only results in a long driveway. This large swath of pavement is not that attractive in the neighborhood and does not replace a front yard. There needs to be more regulations on flag lots, so that the designations of the rear and side lots are not arbitrary. There are many examples of these lot developments where a two story house towers over an existing house because they put the side lot next to the existing house's rear lot. Homeowners lose considerable privacy, light and have a loss of value of their property. If we are going to allow flag lot design that pits a side lot to a rear lot, then at least the new house should not be taller than the existing house.

19.20.030

In the matrix under pre-application neighborhood meeting, second column, it should say YES except for any items not needing the meeting rather than starting with NO. It seems like there should be a meeting for all these important decisions. Also, there is the confusing language "review at discretion of director". The wording "discretion of the director" makes all requirements rather meaningless. This should be eliminated.

19.32.050, C4

Final approval of short plats should allow for the public to comment on any oversights, incompleteness or errors in the execution of the project. Final approval should not be the sole discretion of the director. Development in Anacortes will increasingly be with short plats near existing neighborhoods, and this makes it even more important that the public has the ability to ensure the goals of the comprehensive plans are being met.

Overall comment

There are some good new ideas and clarifications in this code. However there is a degradation of the ability of citizens to have input on how developments are impacting

existing neighborhoods. The authority of the Planning Commission seems to be getting diminished. There is no option for a citizen's committee to give a wider perspective on the application of designs, density and variances. When you have language like "departures" and "variances" built into the code, and the decision is left in the hands of one person (the director) there is bound to be problems, inconsistencies and negative impacts to our neighborhoods, downtown and city overall.

11 February 2019

Dear Decision Makers,

I would like to comment on the rules concerning auxiliary dwelling units.

First, thank you for your efforts to make it easier for folks to put in another unit. I wonder if I might suggest a little more slack in one area and a little tightening in another.

First, the slack. Right now the rules call for three off-street parking places in order to qualify for an ADU. While that does seem rational, I have to wonder why we are saving the street parking places. We have a rule that a homeowner may use the spot in front of the house, so why not reduce the required off-street parking to two? The reduction also reduces the amount of hardscape in the neighborhood and yields a little more area for the rain to soak into the ground. And finally, it will make it just a bit easier for the property owner to add a dwelling unit.

I know there is a thought to strike the requirement that the homeowner live on the premises where an ADU exists. I think striking the requirement is a good idea, but I also think there should be something in its place. Many cities have had the experience that the ADUs do not become housing for young people and for workers but rather become vacation units and the neighborhood becomes reduced to housing folks who are just on their way through and have no connection at all to Anacortes. So one thought would be to require stays of at least a week. If that idea seems too severe, perhaps we require that a sign be posted on these vacation units so that both the police and the neighbors have someone to call with a complaint, though I suppose the property owners might live in California. Maybe we require a sign and that they live in town even if they don't live right on the property with the ADU.

Thank you for your time and attention,

Erica Pickett

360-293-6264

ericapickett@frontier.com