



Planning Commission Public Hearing Minutes for December 18, 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 December 18, 2019, to order at approximately 5 p.m.

Roll Call

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

Members absent: none

Minutes

Minutes from November 20, 2019 and December 4, 2019 will be presented at a later date.

Correspondence None

New Business None

Old Business

Continued discussion of the Draft Critical Areas Ordinance Update and Public Hearing, reviewing the recommendations on Draft #2 of the Critical Areas Ordinance Update:

Libby Grage, Planning Manager, provided a review of legislative actions (AMC 19.16) that states procedures for the creation, adoption, and update of the Critical Areas Ordinance (CAO).

Tess Cooper, Associate Planner, provided a summary of the process for tonight, and presented a list of public comments that were received December 4 – 18, 2019 along with Staff, public, and Department of Ecology recommendations for the CAO update. Discussion ensued.

Chair McNett opened the floor to public comment/testimony at 6:03pm:

Public Comments:

Rick Eggerth, 13043 39th St, Bellingham: Is concerned with locating the draft documents and the many pages, and the timeline/procedures for the update. He pointed out issues in the draft menus.

Neil O'Hara, 4407 Anaco Beach Pl, Anacortes: Is a member of the Skagit Audubon, and is concerned with any bicycle paths/trails proposed in the Ship Harbor wetland area.

Ann Winkes, 18586 Main St, Conway: Has worked with the Skagit Land Trust, and is concerned about human activity in the March's Point heronry. Would like a year-round buffer that Staff is recommending.

Sue Ehler, 2310 Baron Pl, Anacortes: Member of a Skagit Forging Study, concerned with keeping forging habitat for herons. Discussed their surveys and 6 years of data available.

Carolyn Gastellum, 14451 Ashley Pl, Anacortes: Thanked the Staff on efforts to protect March's Point heronry. Recommends the larger buffer for the heronry.

Brian Wetcher, 814 26th St, Anacortes: Stated that the city codes can help identify buffer zones and with Department of Ecology baselines, which is based on underlying zoning.

Gene Derig, 1302 K Ave, Anacortes: Stated that title 19 in the AMC lacks protection to the critical areas and buffers, and recommends a 3rd draft to the CAO update.

Molly Doran, 1020 S 3rd, Mt Vernon: With the Skagit Land Trust, is happy with the large buffer proposal at the March's Point Heronry. She worked on the heron management plan for T-Bailey, and recommends T-Bailey should be grandfathered in concerning updates to the CAO.

Cynthia Richardson, 315 V Ave, Anacortes: Complimented the Staff on the work they have done, especially adding citizen comments in the draft. Suggests a 3rd draft to the CAO to help make it clearer to read and understand.

Ed Gastellum, 14451 Ashley Pl, Anacortes: Gave a brief history of working with herons, and would like a large buffer for herons. Mentioned we should establish wildlife corridors too.

Laverne Scheltens, 5101 Sterling Dr, Anacortes: Stated that there are 700+ heron nests at the March's Point heronry, and likes the Staffs' recommendation on a large buffer.

Libby Mills, 10645 Bay View Edison Rd, Mt Vernon: Recommends full size buffers at the Ship Harbor wetland. Also wants large buffers for herons, as this will help prevent colony collapse which can result from noise and humans. Recommends to honor science.

Bob Hall, 2617 16th St, Anacortes: Approves of the Staff recommendation of a large buffer around the March's Point heronry.

Catherine Houck, 2318 20th St, Anacortes: Recommends a 3rd CAO draft to clear up confusion. The CAO should include Smiley's Bottom, Ship Harbor, and the Cannery wetlands. Buffers need to be clear, and the Department of Ecology comments are significant. Large buffers are needed for category 1 wetlands.

Martha Hall, 2617 16th St, Anacortes: Stated she is confused with the wetlands mitigation process, does not agree with changes to the Passive Recreation definition, and agrees with Catherine Houck's comments above.

Gene Tanaka, 9628 March's Point Rd, Anacortes: As CEO of T-Bailey, he is concerned with the proposed 1000' buffer around the March's Point heronry and how it could affect their business. He mentioned that the current management plan for the herons with Skagit Land Trust is working very well.

Wilhelm Houppermans, 3412 K Ave, Anacortes: Stated Smiley's Bottom should be a wetland in the CAO.

Asa Deane, 611 R Ave, Anacortes: Representing Friends of the Forest, is happy to see wildlife corridors in the CAO draft, with further protections and mapping of wildlife corridors. ACFL should have a buffer larger than 30'.

Tom Glade, 210 Mansfield Ct, Anacortes: Representing Evergreen Islands, feels draft #2 is written to increase development, not to protect critical areas. Smiley's Bottom should be considered in the CAO.

Paul Vance, 4612 Woodside Dr, Anacortes: Concerned with incorporating DOE guidelines in the CAO, wants the CAO to be clearer in its table, etc. A 3rd draft is recommended.

Bob Barry, 1914 22nd St, Anacortes: Concerned with the ACFL and wants it out of the CAO and put in its own AMC chapter for better management.

Discussion ensued with Commissioners and Staff. Mike Jansbo(sp) with T-Bailey mentioned they have worked with Molly Doran and the Skagit Land Trust for the past 13 years, helping to protect the herons at March's Point heronry. Molly clarified that there currently are seasonal buffers for nesting season and year-round buffers. Mike provided clarity on what they do to provide protection.

With no other public comments, Commissioner Chair McNett closed the public hearing at 7:54pm.

Commissioner Moffitt recommended a 3rd CAO draft for the public to review. Ms Grage stated City Council is expecting Draft # 2 along with updates to be brought to them in January.

Commissioner McNett thanked Staff on all the work they have done on updating the CAO. He also thanked out-going Commissioner Cleland-McGrath for all her work she has done for the Planning Commission. Commissioner Cleland-McGrath thanked out-going Commissioner McNett for all his work with the Planning Commission as well.

With no further discussion, Chair McNett concluded the meeting at approximately 8:16 pm.