

ANACORTES PLANNING COMMISSION



NOVEMBER 9, 2016

Municipal Building Council Chambers

6th Street and "Q" Avenue

AGENDA

6 P.M.

1. **Roll Call**
2. **Minutes of October 27, 2016 will be provided at a later date**
3. **Correspondence**
4. **Old Business**
 - a. **Continued Discussion:** Draft Title 19, Unified Development Code - Proposed code amendments relating to establishing clear, straight forward land use permit review procedures, including proposed use of a Hearing Examiner for certain types of permits; and including general provisions, definitions, legislative actions, procedures, public improvements, use criteria, non-conforming uses & structures, and variances.
5. **New Business**
 - a. **Public Hearing:** CUP-2016-1001 1812 Commercial Avenue, proposed veterinary clinic



Planning Commission Agenda Bill

Meeting Date: 11/9/2016 **Agenda Item:** 4a

Subject: Title 19 Update

Staff Contact: Don Measamer, Darcy Swetnam

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

Action Type	
	Ordinance No.
	Code Revision?
	Resolution No.
	Contract
	Public Hearing
	Staff Report
x	Discussion

Summary Statement: This item is presented to continue the discussion with Planning Commission about proposed amendments to the Anacortes Municipal Code intended clarify and consolidate development regulations and land use permit procedures into one Title (Unified Development Code).

Background: A draft of the proposed amendments was provided for the October 12 meeting. Since then, staff has continued to work on refining the content of the document based on additional review and PC and public input. In the current version, adjustments have been made to organization and numbering, the review classification and process matrix has been updated, and language has been added to address various use review criteria and definitions. Other minor updates have been made throughout the document and staff anticipates continuing to add content and make adjustments as the process continues.

Previous Council/Committee Action: Planning Commission discussed the proposal at its October 12, 2016 meeting.

Competing Viewpoints Considered: A public hearing is scheduled for November 23; public comment is welcome.

Recommended Motion: None – this is a discussion item.

Alternative Actions: N/A

Attachments (listed in order presented):

Draft Title 19 V8, dated 11/2/16

Procedure matrix

Ordinance No. ____

**An Ordinance Amending Various Provisions of the Anacortes
Municipal Code and Adopting a New Title 19,
Unified Development Code**

Whereas the Anacortes Municipal Code currently includes development regulations in Titles 15, 16, 17, and 18;

Whereas the City Council desires to clarify and consolidate its development regulations in a single title to provide effective and efficient rules for the public and city staff;

Whereas, on _____, the City provided 60-day notice of intent to adopt these development regulations to the Department of Commerce;

Whereas, on _____, the Planning Commission held a public hearing on the proposal;

Whereas, on _____, the City Council deliberated on the proposal;

Now, therefore, the City Council of the City of Anacortes does ordain as follows:

- Section 1. The Anacortes Municipal Code is amended as shown in Attachment A.
- Section 2. Conditional use permit, special use permit, and land division applications submitted and deemed complete prior to the effective date of this ordinance are to be processed under the code in effect prior to these amendments.
- Section 3. This ordinance takes effect five days after publication or on January 1, 2017, whichever is later.

PASSED and APPROVED this ____ day of _____, 2016.

CITY OF ANACORTES:

Laurie Gere, Mayor

Attest:

Steve Hoglund, City Clerk-Treasurer

Approved as to Form:

Darcy Swetnam, City Attorney

Chapter 1.04 General Provisions

AMC Sections 1.04.070 is amended as follows:

1.04.070 Computation of time.

~~Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Sunday or a holiday, in which case it shall also be excluded.~~

A. ~~Except when otherwise provided, in computing any time period prescribed or allowed by this code, the day of the act, event, or default from which the designated time period begins to run is excluded. The last day of the period is included unless it is a Saturday, a Sunday, or a legal holiday, in which case the period runs until the end of the next day which is neither a Saturday, a Sunday, nor a legal holiday. When the time period prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays are excluded from the computation.~~

B. ~~The legal holidays identified in RCW 1.16.050 are legal holidays for the purpose of this section.~~

Commented [RW1]: Updated to match Washington State Superior Court Civil Rule 6.

Chapter 2.42 Planning Commission

2.42.010 Created.

There is created a planning commission of the city per RCW Chapter 35.63.

Commented [RW2]: Multiple statutes allow for the creation of planning commissions, so it is important to identify which we are relying on.

2.42.020 Membership.

There will be seven members of the commission, to be appointed by the mayor, by and with the consent of the city council. Members must be selected without respect to political affiliations and serve without compensation.

~~2.42.030 Membership—City officer.~~

~~One of the members may be an officer of the city, and his membership shall correspond with his tenure of office.~~

2.42.040 Terms of office.

The terms of members ~~not city officers~~ will, after the expiration of the term of those first appointed, be for six years. The members first appointed will hold office as follows: two for two years; two for four years; and two for six years. Vacancies other than through expiration of terms must be filled for the unexpired terms. Members may be removed, after public hearing, by the mayor with the approval of the council for inefficiency, neglect of duty, or malfeasance in office.

2.42.050 Powers and duties.

The planning commission of the city will have all of the powers and perform each and all of the duties specified by ~~Chapter 44 of the Sessions Laws of 1935, together with any other duties or authority which~~

Commented [RW3]: References RCW 35.63.060, which is somewhat meaningless.

~~may hereafter be conferred upon them by the laws of the state, the performance of such duties and the exercise of such authority to be subject to each and all the limitations expressed in such legislative enactment or enactments AMC Title 19.~~

2.42.060 Organization.

The commission will elect its own chairman and create and fill such other offices as it may deem necessary, and will hold at least one regular meeting in each month for not less than nine months of the year. It will adopt rules for the transaction of its business and will keep a written record of all of its proceedings, which record will be a public record.

2.42.070 ~~Service without compensation~~—Quorum.

~~The members of the commission will act without compensation.~~ Four members present and voting constitute a quorum.

Commented [RW4]: Moved to 2.42.020.

3.92 Parks and Recreation Impact Fees

AMC Chapter 3.92, Parks and Recreation Impact Fees, is repealed.

15.20 Building Permits

AMC Chapter 15.20, Building Permits, is repealed.

16.04 General Provisions, Definitions, and Exemptions

AMC 16.04.104, Variances, exceptions and waiver of conditions, is repealed.

AMC 16.04.106, Complete application, is repealed.

16.10 Binding Site Plans

AMC 16.10.090, Approval Procedure, is repealed.

AMC 16.10.300, Appeals to the board of adjustment, is repealed.

16.12 Preliminary Plats for Standard Subdivision

16.12.020 Review Procedure, subsections A through D and subsections F through I are repealed, and the section is retitled "Approval Criteria."

16.16 Final Plats

16.16.030 Review Procedure is amended as follows:

16.16.030 ~~Review Procedure~~Approval Criteria

~~A. When a final plat application meeting the requirements of this title has been submitted, the administrator shall transmit the original final plat application first to the planning commission~~

~~and then to the city council for consideration within thirty days from the date of its submission unless the applicant consents to an extension of the time period for such review.~~

~~B.A. The planning commission and city council shall at their public meetings consider the final plat application~~ If the city council finds that the final plat meets the requirements ~~as set out~~ in the preliminary plat approval conditions, the final plat will be approved.

~~C. The city council shall act on the final plat within thirty days from submission of a complete application, unless the applicant consents to an extension of such time period.~~

16.24 Modifications and Exceptions

AMC 16.24.020 Procedure, is repealed.

16.28 Recreational Vehicle Parks

AMC 16.28.040, Grading and drainage, and AMC 16.28.100, Application procedure, is repealed. The remainder of this chapter is recodified as AMC 19.60.070, Recreational Vehicle Parks, with the modification below to AMC 16.28.090.

16.28.090 - ~~Commercial use~~ Retail sales.

No retail sales uses ~~should be~~ are allowed within the park ~~unless a specific site for such use, limited to park users, is approved by the city council.~~

16.40 Planned Unit Developments

AMC Chapter 16.40, Planned Unit Developments, is repealed.

17.04 General Provisions

~~AMC 17.04.010, Introduction, is repealed.~~

~~AMC 17.04.030, Enacting clause, is repealed.~~

AMC 17.04.070, Application submission and review procedures, is repealed.

AMC 17.04.080, Severability and savings provision, is repealed.

~~AMC 17.04.090, Consistency, is repealed.~~

17.08 Administration

~~AMC Chapter 17.08, Administration, is repealed.~~

17.10 Board of Adjustment, Planning Commission, and Conditional Uses

AMC Chapter 17.10 is retitled "Conditional Uses, ADUs, and Adult Concessions."

Commented [RW5]: Subsection B is incorporated into Title 19. The rest of this section is surplusage.

Commented [RW6]: This section says not much, but then again restates Superior Court appeal provisions.

Commented [RW7]: This section either restates 36.70B.030 or says nothing.

Commented [RW8]: 17.08.100, garage sales, will be reconstituted somewhere else in a future code package.

AMC 17.10.010-.060, regarding the Board of Adjustment, are repealed.

AMC 17.10.070-.090, regarding the Planning Commission, are repealed.

AMC 17.10.100-.130, regarding conditional uses, are repealed.

AMC 17.10.170, Accessory dwelling units, unnumbered paragraphs prior to subsection A are amended as follows:

Accessory dwelling units (ADU's) ~~may be approved by the zoning administrator are permitted uses~~ in R1, R2, R3, R4, R4A, and R4B zones ~~subject to the procedure set forth in [Section] 17.10.180.~~

In addition, the following standards and regulations will apply to all proposed accessory dwelling units:

AMC 17.10.180, Procedure for accessory dwelling unit permits, is repealed.

17.14 Amendments and Rezones

AMC Chapter 17.14, Amendments and Rezones, is repealed.

17.60 Nonconforming Uses

AMC Chapter 17.60, Nonconforming Uses, is repealed.

17.62 Public Hearings

AMC Chapter 17.62, Public Hearings, is repealed.

17.75 Essential Public Facilities

AMC 17.75.04, Procedure, is repealed.

Commented [RW9]: Because other sections in this chapter restate the procedure, we can just delete this section.

18.04 State Environmental Policy Act

Modify only the following section:

18.04.250 Appeals

- A. ~~The city elects not to have an agency administrative appeal.~~ Appeals of SEPA threshold determinations are processed per AMC Title 19.
- B. The city shall give official notice under WAC 197-11-680(5) whenever it issues a permit or approval for which a statute or ordinance establishes a time limit for commencing judicial appeal.

18.16 Shoreline Master Plan

Placeholder to repeal procedures language

New Title 19 Unified Development Code

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Chapter 19.02 General Provisions

19.02.010 Purpose.

The purpose of this Title is to implement the Comprehensive Plan and state laws related to land use and development in a manner that is clear, concise, and understandable. It is also intended to comply with state rules for combining and expediting development review and integrating environmental review and land use development plans.

19.02.020 Applicability

This Title is applicable to all land within the corporate limits of the City of Anacortes, and the City's urban growth area, except as pre-empted by law or interlocal agreement.

Commented [RW10]: e.g state and federal

Commented [RW11]: e.g. tribe

19.02.030 Administration

- A. The Director is responsible for administration of AMC Titles 16, 17, 18, and 19.
- B. Counter information. The Director may respond to inquiries regarding the applicability and interpretation of various code provisions prior to or outside the context of a specific development permit application. These general counter requests for information are for public convenience only and are not binding on the City nor appealable.

Commented [RW12]: Title 15 will no longer exist by the effective date of this Title.

19.02.040 Fees and costs.

- A. The City Council may, by resolution, adopt a schedule of fees for permit applications and appeals. Per RCW 82.02.060, impact fees must be adopted by ordinance.
- B. The cost of postings, mailings, and publications must be paid for by the applicant, or in the case of an appeal, by the appellant. Appellants must also pay the cost of preparing transcripts and all other records ordered certified by the court or desired by the appellant for the appeal.

19.02.070 No special duty created.

- A. It is the purpose of this title to provide for the health, welfare, and safety of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this title. No provision or term used in this title is intended to impose any duty whatsoever upon the city or any of its officers, agents, or employees for whom the implementation or enforcement of this title is discretionary and not mandatory.
- B. Nothing contained in this title is intended to be nor may be construed to create or form the basis for any liability on the part of the city or its officers, agents, and employees for any injury or damage resulting from the failure of any premises to abate a nuisance or to comply with the provisions of this title or be a reason or a consequence of any inspection, notice or order, in connection with the implementation or enforcement of this title, or by reason or a consequence of any inspection, notice or order, in connection with the implementation or enforcement or

this title, or by reason of any action of the city related in any manner to enforcement of this title by its officers, agents or employees.

19.02.080 Savings.

Nothing contained in this title may be construed as abating any action now pending under or by virtue of any ordinance of the city herein repealed, or as discontinuing, abating, modifying, or altering any penalty accrued or to accrue, or as affecting liability of any person, firm or corporation, or as waiving any right of the city under any ordinance or provision thereof in force at the time of passage of the ordinance codified in this title.

19.02.090 Severability.

If any provision of this title is declared unconstitutional or invalid by any court of competent jurisdiction, it must be conclusively presumed that this title would have been enacted without the provision so held unconstitutional or invalid, and the remainder of this title must not be affected as a result of any part being held unconstitutional or invalid.

Chapter 19.04 Definitions and Interpretation

19.04.020 Definitions.

The following definitions apply to this title; other definitions may be found in individual chapters:

“Accessory dwelling unit (ADU)” means a second dwelling unit, that has separate kitchen, sleeping, and bathroom facilities and is attached or detached from the primary residential unit on a single-family lot.

“Appellant” _____

“Applicant” means a person seeking development or permit approval from the City.

“AMC” means the Anacortes Municipal Code.

“Boundary line adjustment” means the adjustment of a boundary line between existing lots.

“Burden of proof” means _____

“Comprehensive Plan” means the City’s Comprehensive Plan adopted pursuant to RCW Chapter 36.70A.

“Comprehensive Plan amendment” means an amendment or change to the text or maps of the Comprehensive Plan.

“Conditional use” or “CUP” means a use that may be restricted as a condition of approval.

“Day” means calendar day, not business day, unless otherwise specified. But see AMC 1.04.070, Computation of time.

“Decision” means the written report of findings and conclusions issued by the decision-making body.

“Decision-making body” means that officer or body prescribed by this Title as having the authority to approve, approve with conditions, or deny a project permit.

Commented [RW13]: This definitions section is still under construction. Many of these definitions have not yet been reviewed, nor verified that the terms are actually used in this Title.

“Department” means the City of Anacortes Department of Planning, Community, and Economic Development.

“Development” means any land use permit or action regulated by AMC Titles 13, 16, 17, and 18, including but not limited to subdivisions, binding site plans, rezones, conditional use permits, shoreline permits, short plats, or variances.

“Development permit” means _____

“Director” means the Director of the Department or the Director’s designee.

“Effective date” means the date a final decision becomes effective.

“Essential Public Facility” or “EPF” means any public facility or facilities owned or operated by a unit of local or state government, public or private utility, transportation company, or any other entity that provides a public service as its primary mission, and is difficult to site. EPFs include those facilities listed in RCW 36.70A.200.

“Family” means:

- A. One person or two or more related persons living together.
- B. No more than five unrelated persons living together as a single nonprofit housekeeping unit.
- C. Unrelated persons living together in a state licensed adult family home pursuant to RCW 70.127.010, with the provider’s family counting as up to six persons not related to the providers living with them as one housekeeping unit for profit.
- D. In a single-family dwelling, one roomer or boarder is permitted in addition to the family.

“Final decision” means the final City action, in writing, to approve, approve with conditions, or deny a permit application.

“Garage sale” means all general sales, open to the public, conducted from or on a residential premises in any residential zone, for the purpose of disposing of personal property.

“Impact fee” means _____. Compare to “General Facilities Charge.”

“Lot” means _____

“Parcel” means _____

“Party of record” means a person who has testified at a public hearing, or submitted a written statement during the comment period, related to an application prior to the final decision on the application and who provides the City with a complete mailing address.

“Planned action” means a development proposal as defined in RCW 43.21C.440 as amended.

“Plat” means a scale drawing of a subdivision showing lots, blocks, streets, or tracts, or other division or dedications of land to be subdivided.

"Plat, final" means a precise scale drawing of a subdivision and dedications which conforms to the approved preliminary plat, meets all the conditions of approval, and meets the requirements of the Skagit County auditor for recording.

"Plat, final short" means a precise scale drawing of a short subdivision and dedications which conforms to the approved preliminary short plat, meets all conditions of approval, and meets the requirements of the Skagit County auditor for recording.

"Plat, preliminary" means a neat and approximate scale drawing of a proposed subdivision, showing the existing conditions and the proposed layout of streets, lots, blocks, and other information needed to properly review the proposal.

"Plat, preliminary short" means a neat and approximate scale drawing of a proposed short subdivision, showing the existing conditions and the proposed layout of streets, lots, blocks, encumbrances, encroachments, and other information needed to properly review the proposal.

"Plat, short" means the plat of a short subdivision.

Commented [RW15]: We could probably consolidate these definitions of the various types of plats.

"Public hearing" means an open record hearing at which evidence is presented and testimony is taken.

"Public meeting" means an informal informational public meeting, where the public is allowed to provide comment(s).

"Rezone" means an amendment which changes the use classifications and/or boundaries upon the official zoning map.

"Site plan" means a map or representation of a site showing thereon the location of various features of a particular proposal, such as setbacks, buildings, parking areas, and other items.

"Site plan, binding" means a site plan reviewed and approved pursuant to AMC Titles 16 and 17 and Chapter 16.10 AMC, containing the inscriptions or attachments setting forth the limitations and conditions of use for a specific parcel of property and meeting the requirements of the Skagit County auditor for recording.

"Standard of review" means _____

"Subdivision, short" means the division or redivision of land into nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

"Subdivision" means the division or redivision of land into ten or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

"Tract" means _____

"Variance" means _____

"Working day" means any day which the City is open for business.

19.04.040 Rules of interpretation.

- A. Within this title, all words used have their normal and customary meanings, unless specifically defined otherwise in this title.
 - 1. Words used in the present tense include the future.
 - 2. The plural includes the singular and vice versa.
- B. Except where otherwise expressly noted, the term “days” as used in this title means calendar days, not working days.
- C. Distances are measured horizontally unless otherwise specified.
- D. Interpretations of this code must be consistent with the Comprehensive Plan.
- E. Interpretations related to uses in each zone should be based on the “purpose” section of each zone.
- F. Where two applicable rules conflict, the most restrictive controls.

19.04.070 Supremacy.

In the event of a conflict between provisions of this title and AMC Title 13, 16, or 17, the provisions of this title control. In the event of a conflict between provisions of this title and AMC Chapter 18.16, Shoreline Master Plan, the provisions of AMC Chapter 18.16 control.

Chapter 19.06 International and Uniform Codes

Reserved.

Chapter 19.08 Legislative Actions

19.08.010 Purpose.

This Chapter establishes a process for early and continuous public participation for land use legislation consistent with RCW Chapter 36.70A, the Growth Management Act.

19.08.020 Applicability.

- A. This Chapter applies to adoption and amendment of any of the following legislative matters:
 - 1. the Comprehensive Plan;
 - 2. the Comprehensive Plan land use map;
 - 3. implementing development regulations.
- B. This Chapter does not apply to any of the following quasi-judicial matters:
 - 1. development permit applications;

2. rezones permitted by an existing Comprehensive Plan designation that do not require a simultaneous amendment to the Comprehensive Plan.
- C. This Chapter does not apply to any of the following legislative matters:
1. adoption and amendment of international and uniform codes such as the International Building Code, International Fire Code, or other codes required by the State of Washington;
 2. adoption of regulations governing impact fees, development agreements, and amendment of this Chapter;
 3. adoption of technical appendices to the Comprehensive Plan that do not contain Comprehensive Plan goals or policies, such as the six-year capital facilities financing plan.

19.08.030 General requirements.

- A. All amendments to the Comprehensive Plan policies, Comprehensive Plan land use map, or development regulations require:
1. a public hearing;
 2. review and recommendation by the Planning Commission; and
 3. final approval by ordinance.
- B. For amendments to the Comprehensive Plan policies or land use map, the City must:
1. docket amendments per AMC 19.08.050; and
 2. adopt all amendments simultaneously each year; and
 3. may not adopt amendments more frequently than once per year except for amendments that qualify for one of the exceptions in RCW 36.70A.130(2)(a).
- C. For amendments to the development regulations, the City may:
1. accept petitions for development regulation amendments as part of the annual docketing process; or
 2. itself initiate the process of adopting or amending development regulations at any time.

19.08.040 Petitions.

- A. Types of petitions. A petition is one or more of the following types:
1. an amendment to the Comprehensive Plan policies;
 2. an amendment to the Comprehensive Plan land use map (which requires a simultaneous rezone);
 3. an amendment to the development regulations.
- B. When to file.

1. A petition must be submitted on or before the last business day of March, except that a City-initiated petition is not subject to this deadline.
 2. A petition for a rezone or map amendment may be considered only once between each Comprehensive Plan Periodic Update unless the applicant demonstrates a substantial change in circumstances. In no case may a petition for the same property be considered in consecutive years.
- C. How to file.
1. A petition must be filed with the Department on forms provided by the Department.
 2. A petition must be filed with all fees required by the adopted fee schedule.
 3. A City-initiated petition does not require a written petition or fees.
- D. Contents of petition. A petition for amendment of the Comprehensive Plan or the development regulations must include the following:
1. a detailed statement of what is proposed to be changed and why;
 2. a statement of anticipated impacts to be caused by the change, including geographic area affected and issues presented;
 3. a demonstration of why the proposal is needed;
 4. a statement of how the amendment is consistent with the Comprehensive Plan's vision and goals.

19.08.050 Docketing.

- A. The Department must review all new petitions and any petitions deferred from the previous year's docket, and forward a recommendation to the City Council as to which petitions should be included in the next year's docket.
- B. In making its docket recommendation, the Department must consider whether:
1. the petition complies with the filing requirements;
 2. the petition, in light of all proposed amendments being considered for inclusion in the year's docket, can be reasonably reviewed within the staffing and operational budget allocated to the Department by the City Council;
 3. the proposed amendment, to be adopted, would not require additional amendments to the Comprehensive Plan or development regulations not addressed in the application, and is consistent with other goals, objectives and policies adopted by the City Council;
 4. the proposed amendment raises policy, land use, or scheduling issues that would more appropriately be addressed as part of an ongoing or planned work program, or as part of the periodic review cycle;

5. some legal or procedural flaw in the petition would prevent its legal implementation; or
 6. the petition lacks sufficient information or adequate detail to review and assess whether or not the proposal meets the applicable approval criteria. A determination that the proposal contains sufficient information and adequate detail for the purpose of docketing does not preclude the Department from requesting additional information at any later time.
- C. Following receipt of the Department's docket recommendation, the City Council must hold a public hearing to allow applicants and the public to comment on the Department's recommendation. The City Council must subsequently consider the Department's recommendation and the public comment and decide which petitions to include as part of the annual docket.
 - D. The City Council must include, exclude, or defer each petition.
 1. Include. The City Council's decision to include a petition in the docket is procedural only and does not constitute a decision by the City Council as to whether the amendment will ultimately be approved.
 2. Exclude. The City Council's decision to exclude a petition from the docket terminates the petition.
 3. Defer. The City Council's decision to defer a petition means the City Council will consider the petition for docketing in the next annual amendment cycle.
 - E. The petitions included in the docket must be processed according to the remaining sections of this Chapter, including public review and comment and Planning Commission recommendation, and final City Council action to approve, approve with modifications, defer to a subsequent amendment cycle, or deny each petition.

19.08.060 Environmental review of docket.

- A. After the Council establishes the year's docket of Comprehensive Plan amendments, the City must complete environmental review of all of the proposed amendments, consistent with the requirements of RCW Chapter 43.21C and AMC Chapter 18.04. For a site-specific Comprehensive Plan amendment, the applicant must submit a complete environmental checklist, required fees, and any other supporting information required by the Department.
- B. After receipt and review of the environmental checklist(s) for each of the docketed Comprehensive Plan amendments, the Department must issue threshold determination(s) on the docket of amendments.
- C. Any environmental review must consolidate, as much as practical, site-specific SEPA review with review of the entire docket of proposed Comprehensive Plan amendments to ensure adequate consideration of cumulative effects of the proposed amendments.
- D. A petition that is carried over from a previous year's docket to the next docket does not require a new SEPA checklist and fee, and is not required to be considered in the same environmental

document as other proposals in the same docket. However, the Department may require additional SEPA analysis to assess the cumulative impacts of the various proposals constituting a docket.

19.08.070 Public notices.

- A. All public hearings and written comment periods that appear in this Chapter require public notice.
- B. Consistent with RCW 36.70A.035(1), “public notice” whenever it appears in this Chapter includes all of the following:
 - 1. publishing a native electronic copy of the document on the proposal’s webpage on the Department’s website;
 - 2. sending notice to the Department’s e-mail list, including general lists or relevant lists for specific proposals or subject areas;
 - 3. publishing a paid notice in the City’s official newspaper.
- C. For site-specific proposals (e.g. site-specific Comprehensive Plan map amendments), the initial “public notice” of a proposal also includes all of the following:
 - 1. posting notice on the property;
 - 2. mailing notice directly to the owners of the subject property and to all property owners within 300 feet of the subject property.
- D. Notices must include all of the following:
 - 1. a concise description of the proposal in plain English;
 - 2. information on how to provide comment on the proposal;
 - 3. deadlines for public comment;
 - 4. address of the project webpage.

19.08.080 Review by Planning Commission.

- A. Public Hearing.
 - 1. After environmental review, the Planning Commission must hold at least one public hearing before issuing a recommendation on each proposal.
 - 2. If necessary due to the number of people present to comment, the Planning Commission may continue the public hearing to another date, time, or location.
- B. Deliberations.
 - 1. Required consideration. The Planning Commission must consider the following in making its recommendation:

- a. public hearing testimony and written comment received during any public comment period;
 - b. recommendations and analysis from relevant City advisory groups;
 - c. staff recommendations and analysis;
 - d. legal advice;
 - e. consistency of the proposal with the Comprehensive Plan;
 - f. for proposed Comprehensive Plan map changes, whether the proposal is justified by changed or changing conditions, whether the proposal would create an isolated land use designation unrelated to adjacent designations (a spot zone), and whether the proposal will be compatible with neighboring properties and not adversely affect the value of those properties.
2. Ability to ask follow-up questions. The Planning Commission may ask specific follow-up questions of those that testify or submit written comments in order to clarify their testimony or request specific further information.
 3. Ability to continue deliberations. The Planning Commission may continue their deliberations to a subsequent meeting if it needs additional information or additional time to deliberate.
- C. Recommendation to City Council.
1. Timing. At the conclusion of its deliberations, the Planning Commission must vote on the proposal.
 2. Vote. The Planning Commission may vote to recommend approval, approval with modifications, or rejection of the proposal. The Planning Commission may recommend general modifications to the proposal and need not provide explicit textual edits.
 3. Content. The Planning Commission's recommendation on a proposal must be by recorded motion, which must contain the following components:
 - a. Findings of fact: a list of facts that the Planning Commission believes to be true and that are relevant to its recommendation on the proposal.
 - b. Reasons for action: an explanation of the Planning Commission's rationale in making its recommendation.
 - c. Recommendation: the recommendation resulting from the vote.
 - d. Vote: a record of the roll call vote on the entire recorded motion.
 - e. Additional comments: other relevant comments, suggestions, or recommendations, not strictly related to the recommendation, that the Planning Commission desires to include.

- f. Signature of the chair attesting that the recorded motion reflects the Planning Commission's decision.

19.08.090 Review by City Council.

- A. Upon receipt of the Planning Commission's recommendation, the City Council must consider and take action on the recommendation.
- B. The City Council may take final action with no further process in any of the following situations:
 - 1. when the plan, plan amendment, or development regulation to be adopted by the City Council conforms substantially to the proposal as made available for public comment;
 - 2. pursuant to RCW 36.70A.035, when any of the following are true:
 - a. An environmental impact statement (EIS) has been prepared under RCW Chapter 43.21C for the pending resolution or ordinance and the proposed change is within the range of alternatives considered in the environmental impact statement;
 - b. The proposed change is within the scope of the alternatives available for public comment;
 - c. The proposed change only corrects typographical errors, corrects cross-references, makes address or name changes, or clarifies language of a proposed ordinance or resolution without changing its effect;
 - d. The proposed change is to a resolution or ordinance making a capital budget decision as provided in RCW 36.70A.120; or
 - e. The proposed change is to a resolution or ordinance enacting a moratorium or interim control adopted under RCW 36.70A.390.
 - 3. when the action is to preserve the status quo and reject any and all changes in their entirety.
- C. Except as provided in subsection B, the City Council must allow additional public comment opportunity prior to final action. The City Council must choose one or more of the following options to provide such opportunity:
 - 1. an additional written public comment period;
 - 2. one or more public hearings before the City Council;
 - 3. remand of issue(s) to the Planning Commission for further recommendations after an additional written public comment period, or an additional public hearing, or both.
- D. If the City Council adopts a substantial change from the original proposal without remand, it must adopt its own findings of fact and reasons for action, setting forth the factors considered in the public comment or at the hearing and its own analysis of findings considered by it to be controlling.

19.08.100 Final Disposition of Annual Docket.

- A. The City Council must take action (approve, deny, or defer) on the current year's docket before establishing a subsequent docket.
- B. The City Council may defer action on any specific plan or plan amendment to a future docket if:
 - 1. Additional time is needed to analyze the impacts of the proposal;
 - 2. Delaying action on the proposal would unfairly delay action on other proposals that are otherwise ready for a decision;
 - 3. Approval of the proposal depends on the implementation of other rules, standards or policies that either do not exist or are not official by the time the City Council is ready to make its decision on the annual docket; or
 - 4. The City Council determines that the proposed plan or plan amendment is more appropriately considered during a subsequent amendment process.

19.08.110 Emergency or interim regulations.

The provisions of RCW 36.70A.390 for emergency or interim maps or regulations or moratoria, if applicable, supersede the requirements of this Chapter.

Chapter 19.10 Procedures

19.10.010 Policy

This Chapter establishes standard procedures for review of development permit applications and appeals. These procedures are designed to promote timely and informed public participation, eliminate redundancy in the process, minimize delay and expense, and result in approvals that further the goals and policies of the Comprehensive Plan. These procedures are intended to be consistent with the provisions of RCW Chapter 36.70B and integrate the land use permit process with the environmental review process.

19.10.020 Applicability

- A. This Chapter applies to all applications and all development permits issued per AMC Titles 16, 17, and 19.
- B. Exemptions. Consistent with RCW 36.70B.140, the following permits are exempt from the procedural requirements of this chapter:
 - 1. sidewalk use permits;
 - 2. development agreements;
 - 3. final approval of short subdivisions and subdivisions.

Commented [RW19]: RCW 36.70B.140 allows exemptions, but we may not find any others that should be included.

19.10.030 Types of Review

- A. Decisions on applications are governed by five types of review processes, described and distinguished in this section. The five types of review are generally organized in ascending order of significance, amount of public process, and level of discretion exercised by the decision-maker, except for Type 5 review, which is prescribed by statute as a ministerial action of the City Council for final subdivision approval.
- B. The Director must determine the proper review type for all permit applications. If there is a question as to the appropriate type of process, the Director must resolve it in favor of the higher type number. A Type 3-PC review is considered a higher level than a Type 3-HE review.
- C. Table 19.10.030-1 identifies the types of review for all applications, and describes the process for each type of review.
 - 1. The types of applications that are subject to each type of review are listed in the column immediately beneath the heading for each type.
 - 2. The processes required for each type of review is further described by the remainder of the column beneath the heading for each type.
 - 3. The remainder of this Chapter describes the required processes for each type of review.

Table 19.10.030-1. Review Classification and Process Matrix

Types of Review	Type 1 Administrative Ministerial Actions	Type 2 Administrative Decisions	Type 3-HE Hearing Examiner Decisions	Type 3-PC Planning Commission Decisions	Type 4 City Council Decisions
Types of Applications	▪ Accessory dwelling units ▪ Boundary line adjustments ▪ Building, mechanical, and plumbing permits ▪ Clearing and grading permits ▪ Extension of time for approval ▪ Level 1 variances ▪ Shoreline exemptions ▪ Minor permit revisions ▪ Wireless collocation request	▪ Administrative conditional use permits, including home occupation permits ▪ Binding site plans ▪ Level 2 variances ▪ Preliminary short subdivisions up to 4 lots ▪ SEPA threshold determinations ▪ Stormwater Management Manual adjustments and exceptions	▪ Special use permits for towers or antennas ▪ Level 3 variances ▪ Preliminary short subdivisions of 5-9 lots	▪ Conditional use permits, except administrative CUPs ▪ Shoreline Substantial Development Permits (SSDP) ▪ Shoreline Conditional Use and Variance Permits ▪ Special use and reasonable use permits per AMC Chapter 17.70 ▪ Any other applications identified as “conditional uses” in AMC Title 17	▪ Essential Public Facilities, type 1 and 2 ▪ Manufactured home subdivisions ▪ Preliminary long subdivisions ▪ Site-specific rezone authorized by the comprehensive plan
Pre-Application Conference	At discretion of Director	At discretion of Director	Yes	Yes	Yes
Pre-Application Neighborhood Meeting	No	No	Yes	Yes	Yes
Notice of Application	No	Yes	Yes	Yes	Yes
Comment Period	None	14 days	21 days	21 days (30 for SSDP)	21 days
Recommendation By	None	None	Director	Director	Planning Commission
Pre-Decision Open-Record Public Hearing	No	No	Yes, before Hearing Examiner	Yes, before Planning Commission	Yes, before Planning Commission
Decision By	Director	Director	Hearing Examiner	Planning Commission	City Council
Notice of Decision	No	Yes	Yes	Yes	Yes
Local Appeal To	Hearing Examiner	Hearing Examiner	City Council	City Council	None
Appeal Hearing Type	Open-record	Open-record	Closed-record	Closed-record	Closed-record

Commented [RW21]: Plus \$1mill threshold

19.10.040 Consolidated review.

- A. Optional consolidated application processing. All projects that involve two or more application processes may, at the applicant's written request, be processed collectively under the highest numbered type procedure required for any part of the application or may be processed individually under each of the review procedures. If the application is processed under the individual procedures option, the highest numbered type procedure must be processed prior to the subsequent lower numbered procedure.
- B. Integration of environmental review. An application for a development permit that is subject to the State Environmental Policy Act (SEPA) must be reviewed per AMC Chapter 18.04 concurrently with review of the development permit application except where exempted by that chapter.
- C. Per RCW 36.70B.050, review of an application is allowed only one open record hearing and one closed record appeal hearing.
- D. The appeal of a SEPA procedural determination is not subject to this section.

19.10.050 Requirements for public notices.

- A. Applicability. This section applies whenever one of the following is required by this Chapter:
 - 1. Notice of Application;
 - 2. Notice of Public Hearing;
 - 3. Notice of Decision.
- B. Distribution. The Department must timely distribute the notice by:
 - 1. Publication in the City's official newspaper.
 - 2. Electronic mail or first class mail to:
 - a. The applicant;
 - b. Any appellant;
 - c. Any parties of record;
 - d. Any person who, prior to rendering the decision, has requested a copy of the Notice of Decision;
 - e. Any agencies with jurisdiction over the application or any agencies that commented on the application;
 - f. Washington State Department of Transportation if the project is located adjacent to the right-of-way of a state highway;
 - g. Skagit County if the project is located adjacent to a city boundary.

3. For a Notice of Application, via first class mail to owners of property within 300 feet of the subject property.
 4. Posting on at least two notice boards on or near the subject property, and on the notice board at City Hall and public library. The Director may establish standards for size, color, layout, design, wording, and placement of the signs and notice boards.
- C. Errors in precise compliance with the rules contained in this section do not require repeating the public notice if the notice was reasonable and adequate.

19.10.070 Vesting.

- A. An application for a building permit or land division vests at the time a complete application is filed with the Department and all application fees are paid, consistent with RCW 19.27.095(1) and RCW 58.17.033(1).
1. An application is complete on the date a complete application is filed, as subsequently determined in the letter of completeness.
 2. An application vested under this section is not subject to any laws or regulations that become effective after the date of vesting, except as provided below.
- C. This section may not be construed to restrict the City from imposing conditions on development permits pursuant to the State Environmental Policy Act, RCW Chapter 43.21C, WAC Chapter 197-11, as long as such conditions do not change any of the requirements of the underlying code section pertinent to the particular development permit.
- D. This section may not be construed to prevent the City from imposing new regulations necessary to protect the public health and safety, including, but not limited to, the requirements of the building, health, and fire codes, as now adopted or as subsequently amended.

19.10.110 Pre-application conference.

- A. Purpose. The pre-application conference is intended to:
1. provide the City and other agency staff with information about the proposed development;
 2. enable staff to advise the applicant of applicable approvals and requirements;
 3. acquaint the applicant with the applicable requirements of the AMC and other laws; and
 4. identify issues and concerns in advance of a formal application.
- B. When required.
1. Generally. A pre-application conference is required when shown in 19.10.030 Types of Review

2. Exception. The Director may waive the pre-application conference if the proposal has few development-related issues, involves subsequent phases of an approved development, or is substantially similar to a prior proposal affecting substantially the same property.
- C. To schedule a pre-application conference, the applicant must submit a request on forms provided by the Department and pay any applicable fees.
- D. The advice the City provides at pre-application meetings is not binding upon the City and does not prevent the City from enforcing all applicable regulations.

19.10.120 Pre-application neighborhood meeting.

- A. Purpose. The purpose of the neighborhood meeting is to:
 1. Inform citizens about the potential project at an early stage; and
 2. Foster communication between the applicant and the public regarding potential issues and opportunities for solutions related to the project.
- B. When required.
 1. A pre-application neighborhood meeting is required when shown in AMC 19.10.030 Types of Review
 2. The applicant must hold a neighborhood meeting before submitting an application and after any required pre-application conference.
 3. The Director may require the applicant to hold another neighborhood meeting if the applicant's plans change significantly from those described at the neighborhood meeting.
- C. Meeting.
 1. The meeting must be held in a public meeting place, such as the Public Library meeting room, Depot Arts Center, or City Hall.
 2. The meeting must be facilitated by a third-party facilitator approved by the Director.
 3. The meeting must be held Tuesday, Wednesday, or Thursday at 6 or 7 p.m. and may not overlap with any other City meeting or City holidays.
- D. Notices.
 1. The Director may provide standard notice formats and guidelines for conducting the meeting.
 2. The notice must include:
 - a. a brief description of the project;
 - b. date, time, and location of the neighborhood meeting;
 - c. name and phone number of the applicant or their representative.

3. The notice must be mailed at least 10 days prior to the meeting to all of the following:
 - a. The Department;
 - b. The list of property owners that must receive the notice of application.
 4. The notice must be published in the local newspaper at least 10 days prior to the meeting.
 5. The applicant must also post the notice on the project site at least 10 days prior to the meeting.
- E. The applicant is responsible for all fees and costs associated with the pre-application neighborhood meeting.

19.10.130 Application—contents and completeness

- A. Contents of applications.
1. An application must:
 - a. be submitted on forms provided by the Department;
 - b. be signed by the owners of the property subject to the application, or include the owner's notarized authorization for the applicant to submit the application;
 - c. include fees, as calculated by the Director following the adopted fee schedule.
 - d. include all the information specified in any applicable code section as well as the application checklist provided by the Department.
 2. The applicant must apply for all permits identified in the pre-application meeting and required by law.
- B. Complete applications.
1. A permit application is complete for the purposes of this section when it meets the requirements of section A.
 2. When the Director makes a determination on completeness of an application, the Director must provide to the applicant either:
 - a. a written determination that the application is complete; or
 - b. a written determination that the application is incomplete, a request for information necessary to make the application complete, and a notice that the requested information must be submitted within 90 days.
 3. A determination of completeness is not required if the Director issues the permit prior to the deadlines in subsection C, Timing.
 4. A determination of completeness does not preclude the Director from requesting additional information or studies either at the time of the determination of completeness or later, if

the information is required to complete review of the application or substantial changes in the permit application are proposed.

C. Timing.

1. Initial receipt of application. Upon initial receipt of an application, the Director must provide the applicant a determination of completeness within 28 days. If the Director does not provide a written determination within 28 days, the application is deemed complete at the end of the 28th day.
2. Receipt of additional information. When the applicant submits the requested information, the Director must evaluate the application for completeness within 14 days. If the Director does not provide a written determination within 14 days, the application is deemed complete at the end of the 14th day.
3. Incomplete applications.
 - a. The applicant may submit a written request for extension of the deadline to submit the requested information for an additional 90 days. The Director may grant up to two such extensions.
 - b. If the applicant has not provided the requested information by the deadline, the Director must reject and return the application along with any unspent application fees.
4. Revisions to applications.
 - a. The applicant may make minor revisions to the applicant after the determination of completeness and before approval.
 - b. A “minor revision” to an application is one that:
 - i. _____
 - ii. _____
 - c. Any revision other than a minor revision requires a new application.

19.10.140 Application—notice.

- D. When required. A Notice of Application is required when shown in AMC 19.10.030 Types of Review.
- E. Contents. The Notice of Application must include:
 1. the application number;
 2. the name of the applicant;
 3. the date of application, the date of the notice of completion for the application, and the date of the notice of application;

4. a description of the proposed application, a list of the project permits included in the application and, if applicable, a list of any studies requested under RCW 36.70B.070;
5. the identification of other permits not included in the application, to the extent known by the City;
6. the identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;
7. a statement of the public comment period, which lasts the number of days specified for the application type in AMC 19.10.030 Types of Review; except all shoreline permits subject to the comment period as outlined in WAC 173-27-110(2)(e), which allows for a 30-day comment period.
8. a statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights;
9. the date, time, place and type of hearing, if applicable and scheduled at the date of notice of the application;
10. a statement of the preliminary determination of consistency, if one has been made at the time of notice, and of those development regulations that will be used for project mitigation and consistency;
11. if the City is using the optional DNS process (WAC 197-11-355), additional information will be added to the notice as required by WAC 197-11-355(2);
12. any other information determined appropriate by the City, such as the City's likely threshold determination, if complete at the time of issuance of the notice of application.

F. Timing.

1. The Department must distribute a Notice of Application within 14 days of determination that an application is complete, except for all shoreline permits subject to WAC 173-27-110(3), which requires notice of application to be given at least 15 days prior to the open record hearing.
2. Within seven days after the end of the public comment period, the Department must transmit the applicant a copy of public comments timely received in response to the Notice of Application together with a statement that the applicant may submit a written response to these comments within seven days from the date the comments are transmitted.

19.10.150 Application—department review.

- A. _____
- B. _____

- C. _____
- D. [describe compliance or noncompliance with code, complete analysis of permit requested, describe how to evaluate project, duty to identify failings in application, draft findings of fact, conclusions of law, statement of process, date of determination of completeness, facts necessary to evaluate the project's applicability to the standards, identification of the applicable underlying standards/code provisions _____]
- E. Requirement to consider comments.
1. In making its recommendation or decision, the Department must consider written comments, and applicant's responses, that are timely received.
 2. Except for a determination of significance, the City and the Department may not issue its SEPA threshold determination or issue a decision or recommendation on the application until the expiration of the public comment period on the notice of application.

19.10.160 Public hearings and meetings

- A. All hearings and meetings conducted as part of processing a permit application must be conducted consistent with this section.

Table 19.10.160-1. Types of hearings and meetings

	Open-record Pre-decision	Closed-record Decision	Open-record Appeal	Closed-record Appeal
Participation	Any interested party	Applicant and any party of record	The applicant, any appellant, and any party of record	The applicant, any appellant
Facts allowed outside the record	Yes	No	Yes	No
Standard of review	Compliance with Title 16, 17, 18, 19	De novo	Clearly erroneous	Clearly erroneous
Burden of proof	Applicant	Applicant	Appellant	Appellant

- B. Swearing-in required. In open-record hearings, a party who desires to submit evidence may only do so under penalty of perjury.
- C. Continuations. If, for any reason, a meeting or hearing on a pending action cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a specified date and no further notice under this section is required.

19.10.170 Public hearing—notice.

- A. When required. A notice of public hearing is required for any public hearing held on a permit application pursuant to this chapter.
- B. Contents. The public notice must include:

1. The application number;
2. Project summary/description of each project permit application;
3. The designation of the hearing body;
4. The date, time, and place of the hearing and a statement that the hearing will be conducted in accordance with the rules of procedure adopted by the hearing body;
5. General project location, vicinity, address, and parcel number(s), if applicable;
6. The name of the applicant or applicant's authorized representative and the name, address and telephone number of a contact person for the applicant, if any;
7. The SEPA threshold determination, or description thereof, will be contained in the notice, along with any appropriate statement regarding any shared or divided lead agency status and phased review and stating the end of any final comment period;
8. A statement regarding the appeal process; and
9. The date when the staff report will be available and the place and times where it can be reviewed.

C. Timing.

1. The Department must distribute, including by publishing in the City's official newspaper, a notice of public hearing at least 15 days prior to the date of public hearing.

Commented [RW22]: Consistent with WAC 173-27-110(3) for shoreline permits.

19.10.180 Decision—timing.

A. Time limits.

1. The final decision on an application for a development permit must be made within the time limits from determination of completeness listed in Table 19.10.200-1.

Table 19.10.200-1.

Type of Application	Time Limit
Preliminary subdivisions and binding site plans (RCW 58.17.140)	90 days
Final subdivisions (RCW 58.17.140)	30 days
All other development permits (RCW 36.70B.080)	120 days

2. The following time periods are excluded from the calculation of the time limits:
 - a. Any time required to correct plans, perform studies, or provide additional information.
 - b. Any time during which substantial project revisions are made or requested by an applicant, in which case the 120 days will be calculated from the time that the City determines the revised application to be complete.

- c. Any time required for the preparation and review of an environmental impact statement.
 - d. Any time required to complete the process for the siting of an essential public facility.
 - e. Any time required to obtain any necessary variance.
 - f. Any time required for any administrative appeals.
 - g. Any time required for any administrative appeal of SEPA threshold determination, if applicable.
 - h. Any time required for any remand to the hearing body.
 - i. Any extension of time mutually agreed upon by the City and the applicant.
 - j. Any specific amount of additional time that the City determines is necessary for the processing of a specific complete project permit application.
3. Extension of Time. If the City is unable to issue its final decision on an application within the time limits provided for in this section, it must provide written notice to the applicant. The notice must include a statement of the reasons why the time limits cannot be met and an estimated date for issuance of the Notice of Decision.
- B. Effective Date. The decision is effective on the date stated in the decision, resolution, or ordinance. The date from which appeal periods may be calculated is the date of issuance of the decision.

19.10.190 Decision—notice.

- A. When required. When a final decision is made that requires a Notice of Decision per AMC 19.10.030 Types of Review or a decision is made on appeal, the Department must issue a Notice of Decision.
- B. Contents. The Notice of Decision must include:
 - 1. the application number;
 - 2. the name of the applicant;
 - 3. the name of the project;
 - 4. the street address of the project site;
 - 5. a description of the application;
 - 6. the date of final decision on the application;
 - 7. the date the Notice of Decision was issued;
 - 8. the decision on the application;
 - 9. any threshold determination made pursuant to RCW Chapter 43.21C;

10. the procedure for appeal and the deadline for filing an appeal.
- C. Timing. If required, appeal periods do not begin to run until the Department publishes the Notice of Decision.

19.10.210 Appeals.

- A. Standing. The following parties have standing to appeal final decisions:
 1. The Director;
 2. The applicant;
 3. Any owner of the property subject to the application;
 4. Any party of record when all of the following conditions are present:
 - a. The land use decision has prejudiced or is likely to prejudice that person;
 - b. That person's asserted interests are among those that the City was required to consider when it made the land use decision; and
 - c. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision.
- B. Necessary parties. The following are parties to any appeal:
 1. The Director;
 2. The applicant;
 3. Any owner of the property subject to the application.
- C. Permissive joinder. At the discretion of the hearing body, a party with standing to appeal may be added to the appeal after the appeal period has run.
- D. Time to file. An appeal is timely only if it is:
 1. Filed with the director within 14 calendar days after written notice of the decision is mailed; and
 2. Accompanied by the appropriate appeal fee.
- E. Method of service. Appeals must be delivered to the Department by mail or personal delivery before 5:00 p.m. on the last business day of the appeal period. Appeals received by mail after 5:00 p.m. on the last day of the appeal period will not be accepted, regardless when such appeals were mailed or postmarked.
- F. Contents. Appeals must be submitted on forms provided by the Department and contain the following:
 1. appellant's name, address, and phone number;
 2. a description of the appellant's standing to appeal;

Commented [GL23]: Or published, if applicable (per 19.10.190(C))

3. identification of the application or decision that is the subject of the appeal;
 4. appellant's statement of grounds for appeal and the facts upon which the appeal is based, with specific references to the facts in the record;
 5. the specific relief sought;
 6. a statement that the appellant has read the appeal and believes the contents to be true, followed by the appellant's signature or the signature of the appellant's agent, provided such agent's authorization is in writing and accompanies the appeal.
- G. Automatic stay. Except for administrative appeals of SEPA threshold determinations, the timely filing of an appeal will stay the decision until such time as the appeal is concluded or withdrawn.
- H. Procedures. The appeal body may provide in its procedures for a decision on the appeal after a hearing where the parties present argument, or new evidence when allowed by this Chapter; or after the parties submit written arguments.
- I. Decision on appeal. The appeal body must issue a written decision on the appeal supported by written findings and conclusions, and the Department must publish a Notice of Decision incorporating the decision on appeal.

19.10.220 Remand.

- A. In the event that the appellate body determines that the public hearing record is insufficient or otherwise flawed, the appellate body may remand the matter back to the original decision-maker to correct the deficiencies.
1. The appellate body must specify the items or issues to be considered and the time frame for the additional work.
 2. The original public hearing may be re-opened if necessary for the limited purpose of addressing specific questions articulated by the appellate body.
 3. Only the parties of record to the open-record hearing, or in the case of an appeal, the parties to the appeal, may participate in the remand.
- B. The original decision-maker must affirm, modify, or reverse its original action based on the revised public record.

19.10.230 Reconsideration.

- A. A party of record may seek reconsideration only of a final decision by filing a written request alleging specific errors on a form provided by the Department within 10 days of the date of decision.
- B. The decision-maker must consider the request without public comment or argument by the party filing the request. Reconsideration should be granted only when a material legal error has

occurred or a material factual issue has been overlooked that would change the previous decision.

1. If the request is denied, the previous action will become final.
2. If the request is granted, the decision-maker may revise and reissue its decision or may call for argument in accordance with the procedures for closed-record appeals. If the decision is revised, the Department must publish a Notice of Decision incorporating the revised decision.

19.10.240 Exhaustion of administrative remedies.

- A. No further administrative appeals are available when the final appeal shown in AMC 19.10.030 Types of Review has been heard.
- B. A request for reconsideration is not required to exhaust administrative remedies.

19.10.310 Permit Revision.

- A. A major revision to an approved permit requires a new application. A minor revision to an approved permit may be approved by the Director.
- B. A major revision is any revision other than a minor revision.
- C. A minor revision is a revision that does not:
 1. Involve more than 10% increase in area or intensity of the use;
 2. Increase the number of lots, dwelling units, or density;
 3. Decrease the quality or amount of open space;
 4. Result in any significant environmental impact not adequately reviewed or mitigated by previous documents;
 5. Expand onto property not included in the original proposal.

19.10.330 Permit Expiration.

- A. Expiration Schedule. Permits and approvals have the following initial terms until expiration, and may be extended the number of times indicated for the length of extensions indicated.

Type of Permit or Approval	Initial Term	Number of Allowed Extensions	Length of Each Extension
Clearing, grading, grubbing	1 year	1	6 months
Conditional Use Permit	5 years		1 year
Preliminary Plats, Short Plats, Binding Site Plans,	5 years to recording	See RCW _____	See RCW _____

Commented [RW24]: These terms should have notes like "1 year to complete work" or "5 years to establish use"

Type of Permit or Approval	Initial Term	Number of Allowed Extensions	Length of Each Extension
Boundary Line Adjustments			
Shoreline Exemption	1 year per SMP	0	n/a
Shoreline Permits	2 years to commence construction; 5 years maximum. See WAC 173-27-090(4)	1	1 year
Reasonable Use Exception	5 years	1	1 year
Special Use Permits	See applicable code section		
Variance	5 years	1	1 year
Wetland Delineation Verifications	5 years	0	n/a

Commented [RW24]: These terms should have notes like "1 year to complete work" or "5 years to establish use"

- B. Shortening Permit Term. The City may, when issuing a decision, require a shorter expiration period than that indicated in subsection A when the nature of the specific development is such that the normal expiration period is unreasonable or would adversely affect the health, safety, or general welfare of people working or residing in the area of the proposal. The decision-making body may adopt appropriate time limits as a part of action on shoreline permits, in accordance with WAC 173-27-090.
- C. Commencement of Permit Term. The term for a permit will commence on the date of the final decision; provided, that in the event the decision is appealed, the effective date will be the date of decision on appeal. The term for a shoreline permit will commence on the effective date of the permit as defined in WAC 173-27-090.
- D. When Permit Expires.
1. A permit under this chapter will expire if, on the date the permit expires, the project sponsor has not fulfilled the requirements of the applicable permit.
 2. Exception. The initial permit term does not included the time during which a permit was not actually pursued by construction because pending litigation related to the permit made it reasonable to not pursue the permit.
- E. Extension of Land Use Applications. An extension may be granted by the Administrator for one year if the applicant has attempted in good faith to complete the proposed development activity necessary to meet the conditions of approval.
- F. Extension of Shoreline Permits. In accordance with Section 18.16.130.

Chapter 19.12 Concurrency

Reserved.

Chapter 19.14 Public Improvements

19.12.100 Public Improvements—Design Standards.

- A. Public improvements, private roads, private sewer connections, and private stormwater facilities must be constructed consistent with the most recent version of the Development and Engineering Standards promulgated by the City's Public Works Director.
- B. All public improvements must be extended as necessary to provide a smooth transition to existing improvements both laterally across the street and longitudinally up and down the street for drainage and vehicular and pedestrian traffic.

Commented [RW25]:
AMC 15.20.030.

19.12.120 Public Improvements—Requirement.

Commented [RW26]: From AMC Chapter 15.20.

- A. Applicability. This section applies to a building permit for construction of any new building or structure; or for the addition to or repair of an existing structure, the cost of which within a 12-month period exceeds 50% of the existing structure's current assessed value.
- B. A building permit must be conditioned to require public improvements as described below:
 - 1. Where the street, road, or alley providing access to a building site is developed in accordance with City's Development and Engineering Standards but only on the side of the street not abutting the building site, the public street for the undeveloped portion of the street immediately adjacent to the building site must be developed to match the improvements on the portion of the street which is developed.
 - 2. Where the building site abuts an existing arterial street as defined by the city functional classification system map, the public streets, alleys, and the storm sewer system abutting the property must be improved in accordance with City's Development and Engineering Standards.
- C. For a building permit to construct a single-family or duplex residential structure, the Director of Public Works may waive all or a portion of the construction of improvements required in this chapter if the applicant records a covenant not to oppose establishment of a local improvement district to construct such improvements required. The covenant must be on forms approved by the city attorney, executed by all persons having an interest in the property for which application for a building permit is being made, and run with the land and be binding on future owners of such land.
- D. No driveway access is permitted onto Anaco Beach Road where the driveway access can be constructed on property owned by the applicant to a local access street.

Chapter 19.16 Land Divisions

Reserved.

Chapter 19.18 Boundary Line Adjustments

Reserved.

Chapter 19.20 Zoning

Reserved.

Chapter 19.30 Project Design

Reserved.

Chapter 19.40 Community Design

Reserved.

Chapter 19.60 Uses

19.60.010 Generally.

- A. Land uses within the City of Anacortes are allowed when identified in AMC Chapter 19.20 Zoning.
 - 1. “Permitted” uses are those that do not require discretionary land use approval permits, but may require building permits or other permits required by AMC Chapter 19.06 International and Uniform Codes.
 - 2. “Administrative Conditional Uses” are uses that require approval by the Director following the process in AMC Chapter 19.10 Procedures.
 - 3. “Conditional Uses” are uses that require a higher level of review following the process in AMC Chapter 19.10 Procedures.
- B. If a proposed use is not listed, but is clearly similar to uses listed in the zone in which it is to be located, the decision-maker may determine it is substantially similar to a listed use and therefore allowed for the same level of review if:
 - 1. The proposed use substantially meets the intent of and is consistent with the goals, objectives, and policies of the Comprehensive Plan;
 - 2. The proposed use meets the stated purpose and general intent of the zone in which the use is proposed to be located;

Commented [RW27]: The new zoning chapter should have a grid with uses down the side and zones across the top. Each cell should include a P, ACU, or CU to correspond to this section.

3. The proposed use shares characteristics common with and is not of greater intensity, density or generate more environmental impact than those uses listed in the zone in which it is to be located.

19.60.020 Conditional Use Criteria

- A. Purpose. In certain districts, conditional uses may be permitted subject to a conditional use permit. Because of their unusual characteristics, or special characteristics of the area in which they are to be located, conditional uses require special consideration so that they may be properly located with respect to the objectives of this title and their effect on surrounding properties. The City may require special conditions on development or on the use of land in order to ensure that the designated uses or activities are compatible with other uses in the same zone and in the vicinity of the subject property.
- B. Applicability. The provisions of this section apply to all conditional uses.
- C. Criteria.
 1. In order to grant any conditional use, the decision maker must find that the establishment, maintenance or _____,.....
 2. In reviewing and acting upon conditional uses, the decision-maker must consider the following:
 - a. any specific requirements for the conditional use have been specified elsewhere in this title;
 - b. access to the site is appropriate considering the anticipated volume of traffic resulting from the use;
 - c. off-street parking and loading facilities are adequate in terms of location, amount and design to service the use;
 - d. the number, size and type of signs proposed are compatible with the surrounding area;
 - e. the amount and location of open space and the provision of screening is such that buffering of incompatible uses is achieved;
 - f. the location and intensity of outdoor lighting is such that it does not cast light on adjacent, adjoining or neighboring properties;
 - g. hours and manner of operation of the proposed use, including anticipated noise generation, are not inconsistent with the adjacent or nearby uses;
 - h. public facilities and utilities are capable of adequately serving the proposed use;
 - i. the proposed use will not have a significant adverse effect on the health, safety and general welfare and character of adjacent land uses or the general area;

- j. the physical conditions of the site, including size, shape, topography and drainage, are suitable for the proposed development;
 - k. any other factors deemed relevant to the decision maker;
- D. Conditions authorized. In permitting a conditional use, the decision maker may impose, in addition to regulations and standards expressly specified in this title, other conditions found necessary to protect the health, safety and welfare of the surrounding properties, neighborhood, and the city as a whole. These conditions may include, but are not limited to:
- 1. Requirements increasing the required lot size or yard dimensions;
 - 2. Increasing street widths, controlling the location and number of vehicular access points to the property;
 - 3. Increasing the number of off-street parking or loading spaces required;
 - 4. Limiting the number of signs;
 - 5. Limiting the coverage or height of buildings or structures or requiring screening and landscaping where necessary to reduce noise and glare and maintain the property in a character keeping with the surrounding area; and
 - 6. Requirements under which any future enlargement or alteration of the use shall be reviewed by the city and new conditions imposed.

19.60.030 Accessory Dwelling Units

- A. Purpose. The purpose of an accessory dwelling unit is to:
- 1. Add affordable units to existing housing and make housing units available to moderate-income people who might otherwise have difficulty funding homes within the city;
 - 2. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle;
 - 3. Provide homeowners with a means of obtaining, through tenants in either the accessory dwelling unit or the principal residence, rental income, companionship, or security;
 - 4. Protect neighborhood stability, property values, and the single family residential appearance of the neighborhood by ensuring that accessory dwelling units are installed under the conditions of this section.
- B. Applicability. This section applies to accessory dwelling units.
- C. Standards and criteria.
- 1. An accessory dwelling unit may be established in an existing single family unit or in a detached structure on a legal building lot by any one or by a combination of the following methods:

Commented [RW28]: Is this our term for this?

- a. Alteration of interior space of the dwelling; or
 - b. Conversion of an attic, basement, attached garage, or other portion of a dwelling; or
 - c. Addition of attached living area onto an existing dwelling;
 - d. Construction of a detached living area (this may include a location currently permitted for a garage); or
 - e. New construction.
2. Each single-family dwelling on a legal building lot may have only one accessory dwelling unit and these two units may not be condominiumized.
 3. One of the dwelling units shall be occupied by one or more owners of the property as the owner's permanent and principal residence. "Owners" shall include title holders and contract purchasers. The owner shall file a certification of owner-occupancy with the planning department prior to the issuance of the permit to establish an accessory dwelling unit.
 4. The habitable floor area of the accessory dwelling unit may not exceed 900 square feet.
 5. The total number of persons who may occupy the principal and accessory dwelling units combined may not exceed the number of persons that are defined by this title as a "family".
 6. A minimum of three off-street parking spaces must be provided for the principal and accessory dwelling units.
 7. The appearance and character of the dwelling shall be maintained when viewed from the surrounding neighborhood. Only one entrance to the residential structure may be located on any street side of the structure; provided that this limitation shall not affect the eligibility of a residential structure which has more than one entrance on the front or street side on the effective date of the ordinance codified in this chapter.
 8. The owner of a single-family dwelling with an accessory dwelling unit shall file an owner's certificate of occupancy in a form acceptable to the city attorney no later than April 1 of each year. Any person who falsely certifies that he or she resides in a dwelling unit at the stated address to satisfy the requirements of this section shall be subject to violation and penalty provisions of Section 17.66.010 of the City of Anacortes Municipal Code.
 9. An accessory dwelling unit permit shall automatically expire whenever:
 - a. The accessory dwelling unit is substantially altered and is thus no longer in conformance with the plans approved by both the planning director/city council and building official; or
 - b. The subject lot ceases to maintain at least three off-street parking spaces; or
 - c. The applicant ceases to own or reside in either the principal or the accessory dwelling unit.

Commented [GL29]: Consider refining this...

Commented [GL30]: Update.

Commented [GL31]: This process is rarely followed and hard to track, consider whether this is typical and perhaps consider revisions.

Commented [GL32]: Fix.

10. The applicant shall provide a deed restriction in a form acceptable to the city attorney and recorded with the county auditor, providing notice to future owners or long-term lessors of the subject lot that the existence of the accessory dwelling unit is predicated upon occupancy of either the accessory dwelling unit or the principal dwelling by the person to whom the accessory dwelling unit permit has been issued. The covenant shall also require any owner of the property to notify a prospective buyer of the limitations of this section and to provide for the removal of improvements added to convert the premises to an accessory dwelling unit and the restoration of the site to a single-family dwelling in the event that any condition of approval is violated.
11. An accessory dwelling unit shall also meet the requirements of Chapter 17.48, Accessory Buildings, Storage, and Docks.

19.60.040 Adult Concessions

Reserved.

19.60.050 Essential Public Facilities

Reserved.

19.60.055 Home Occupations

- A. Purpose. The purpose of a home occupation is to allow certain activities to be undertaken for gain or profit within a dwelling or a building accessory to a dwelling in any zone in which dwellings are present, while maintaining the residential character of the property and avoiding detrimental effects to the surrounding neighborhood.
- B. Requirements.
 1. The occupation may include such uses as personal, business, or professional services, or offices and repair shops for household items.
 2. Equipment used in the home occupation may not be of a nature that is objectionable due to noise, dust, smoke, vibration, odor, or electronic interference.
 3. There may be no exterior modification of the building(s) in order to accommodate the occupation, nor shall there be any outward manifestation of the occupation. The primary use of the premises shall be residential and at no time shall the home occupation be the predominant use.
 4. No person other than members of the family residing on the premises may be engaged in such occupation. If the occupation requires that customers or clients visit the premises, required parking will be a condition of the permit, and traffic generated by the business shall be consistent with that which might reasonably be generated by residential use of the premises.

5. Once a home occupation permit has been issued, it may not be transferable to another person or to a location other than stated in the permit; nor may the specified conditions be changed.

Commented [RW33]: This is odd for a land use permit.

6. A flat unlighted sign flush against the building is allowed. Such sign shall not exceed two square feet in area.

7. All regular business license requirements shall be met.

- C. Termination. If after issuance of a permit, the home occupation violates any of the conditions placed on the permit, or if the home occupation is found to be having a detrimental effect upon the surrounding neighborhood, the administrator, upon thirty days' notice, shall have authority to revoke or place additional restrictions on the permit.

Commented [GL34]: Is this necessary – or adequately covered under Title 20.

- D. Exemptions.

1. ||

Commented [GL35]: Consider whether there are circumstances where an occupation should be exempt from having to get a home occ permit (e.g. home office where no one visits the site, etc.).

19.60.060 Marijuana Producers, Processors, and Retailers

Reserved.

19.60.070 Recreational Vehicle Parks.

Reserved.

19.60.080 Schools

Reserved.

19.60.090 Telecommunications Facilities

Reserved.

Chapter 19.66 Non-Conforming Uses and Structures

- A. Intent. Any lot, building, structure, or use of land, legally permitted or established at the time of the adoption of the ordinance codified in this Chapter, will be permitted to continue. A change in occupancy or ownership will not affect such right to continue such use, building, or structure. The intent of this Chapter is:

1. To permit these nonconformities to continue until they are removed, but not to encourage their survival, except as expressly provided in this Section; and
2. That nonconformities will not be used as grounds for adding other structures or uses prohibited elsewhere in the same zoning district; and
3. That nonconforming uses or structures not be allowed to expand, be altered or reconstructed except as otherwise outlined in this Section.

- B. Enlargement, Alteration, Expansion or Change of Nonconforming Uses.

1. Nonconforming Uses. No nonconforming use may be permitted to be enlarged, altered, or expanded, except that a nonconforming use may be extended throughout any part of the building which was designed for its use prior to the time of the adoption of this Chapter. This extension is allowed; provided, that no structural alterations, except those required by law, are made therein, and that no expansion of the structure or parking requirements occurs.
 2. No nonconforming use may be allowed to be reestablished after abandonment. Thereafter, the use of the building, structure or site must be in conformity with the regulations for the district in which it is located.
 3. A nonconforming use may not hereafter be changed to any other nonconforming use, regardless of the conforming or nonconforming status of the building in which it is housed.
- C. Enlargement, Alteration, Reconstruction of Nonconforming Buildings and Structures.
1. Routine maintenance and repairs may be performed on a nonconforming structure or building.
 2. When a nonconforming building or structure is damaged by fire, natural disaster, or other calamity, and structural repairs needed to maintain a building or structure in a safe structural condition, the building or structure may be restored or replaced provided:
 - a. A complete application for reconstruction or replacement is submitted within one year of the damage, and
 - b. That the restoration or replacement must be made to conform to the regulations of the zoning district in which the building or structure is located, or if such regulations cannot physically be met without reducing the size of the building, the restoration may not extend any nonconformity that existed prior to the damage.
 3. Additions to nonconforming structures that meet all applicable zoning dimensional standards will not be considered an enlargement under this Subsection.
- D. Abandonment. For the purposes of this Subsection, abandonment will mean:
1. An intention to abandon; and
 2. An overt act, which carries the implication that the owner does not claim or retain any interest in the right to the nonconforming use.
- E. Conformance after Abandonment. If any nonconforming use of land, building, or structure ceases for any reason whatsoever for a period of one year or more, any future use of such land, building or structure must thereafter be in conformity in the zoning district in which it is located. The mere presence of a structure, equipment, or material will not be deemed to constitute a continuance of a nonconforming use unless the structure, equipment, or material are actually being occupied or employed in maintaining such use.

- F. Procedure for Verifying Abandonment. When the Department obtains information indicating that a nonconforming use, building or structure has or may have been abandoned, the Department must send a letter by certified mail return receipt requested to the property owner requesting confirmation of either abandonment or non-abandonment. Documentation that the nonconforming use, structure, or building has been occupied, used, or maintained within the last year will be required. After notification, if the owner fails to respond to the request within 60 days, the building, structure, or use will be deemed abandoned. If the owner replies that the building, structure, or use is not abandoned, the Department may initiate a Level 3 decision to determine if the abandonment has occurred.

Chapter 19.68 Variances

19.15.010 Purpose.

The purpose of this chapter is to establish the criteria for a variance. |

19.15.020 Applicability.

- A. Generally, variances are allowed to grant relief from dimensional standards (e.g., height, setback, size).
- B. Variances are not allowed for any of the following:
 - 1. allowable, conditionally permitted, or prohibited uses in each zone;
 - 2. procedural or administrative provision of this Title;
 - 3. any provision of this code which, by the express terms of that provision, is not subject to a variance;
 - 4. any conditions of approval established during permit review;
 - 5. the provisions of AMC Chapter 17.70 Critical Areas.

19.15.030 Variance levels.

- A. Variances are categorized into three levels, as specified by the table below or elsewhere in this Title.

Level 1	Level 2	Level 3
▪ Text	▪ Text	▪ Text

19.15.040 Criteria.

- A. The City may approve or approve with modifications an application for a variance from the provisions of this Code only if by preponderance of evidence, the applicant demonstrates that all of the following criteria are met:

1. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone of the site;
 2. The variance is necessary because of the unique size, shape, topography, or location of the site;
 3. The site is deprived, by the provisions of this Code, of rights and privileges enjoyed by other properties in the vicinity and same zone as the site;
 4. the variance is the minimum necessary to provide the site with those rights and privileges;
 5. The need for the variance is not the result of deliberate actions of the applicant or property owner;
 6. Granting of the variance will not be materially injurious to the property or improvements in the vicinity and zone in which the site is located;
 7. The variance is not inconsistent with the intent and purpose of the provision being varied.
- B. Conditions for granting. In authorizing the variance, the decision-making body may attach thereto such conditions that it deems to be necessary or desirable in order to carry out the intent and purposes of this chapter and in the public interest.
- D. Approval. If the variance application is approved, the applicant must record the variance against the property with the County Auditor on a form provided by the Department and provide the Department a copy of the recording.
- E. Transfer of ownership. A variance runs with the land. Compliance with the conditions of a variance is the responsibility of the current owner of the property, whether the applicant or a successor.

Chapter 19.70 Critical Areas

Reserved.

Chapter 19.72 Shorelines

Reserved.

Chapter 19.76 Stormwater

Reserved.

Chapter 19.78 Clearing and Grading

Reserved.

Chapter 19.80 Development Agreements

Reserved.

Chapter 19.82 Development Agreement with Port

AMC Chapter 17.74 is recodified as AMC Chapter 19.82. The code reviser is directed to include the date of adoption of the development agreement, March 29, 2005, in recodified AMC 17.17.250.

DRAFT Process Matrix – Current and Proposed Land Use Permit Procedures

Based on Version Title 19 UDC v8-20161103.doc
November 3, 2016

Yellow Highlight = Proposed change from current AMC procedures

	Pre-application Neighborhood meeting		NOA / Comment Period		Recommen- dation By		Pre-Decision Open Record Hearing		Decision By		Notice of Decision		Local Appeal To / Appeal period		Appeal Hearing Type	
	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed
Accessory Dwelling Units	No	No	Yes 14 days	No	None	None	No	No	Director	Director	Yes	No	CC 5 days	HE 14 days	Not specified	Open-record
Boundary line adjustments	No	No	No	No	None	None	No	No	Director	Director	No	No	None	HE 14 days	None	Open-record
Building/mech/plumb permits	No	No	No	No	None	None	No	No	Director	Director	No	No	B of A 10 days	HE 14 days	Not specified	Open-record
Clearing and grading permits	No	No	No	No	None	None	No	No	Director	Director	No	No	CC 10 days	HE 14 days	Not specified	Open-record
Extension of time for approval	No	No	No	No	No	No	No	No	CC (PPL) Director (CAO) Director (SDP)	Director	No	No	None	HE 14 days	None	Open-record
Impact fee decisions	No	No	No	No	None	None	No	No	Director	Director	No	No	B of A 10 days	HE 14 days	Not specified	Open-record
Level 1 variances (Yet to be defined)																
Shoreline exemptions	No	No	No	No	None	None	No	No	Director	Director	No	No	None	HE 14 days	None	Open-record
Minor permit revisions	No	No	No	No	None	None	No	No	Director	Director	No	No	None	HE 14 days	None	Open-record
Wireless collocation requests	No	No	No	No	None	None	No	No	Director	Director	No	No	None	HE 14 days	None	Open-record
Administrative CUPs, including Home Occ	No	Director Discretion	Yes 14 days	Yes 14 days	None	None	No	No	Director	Director	Yes	Yes	CC 5 days	HE 14 days	Not specified	Open-record
Binding site plans	No	Director Discretion	No	Yes 14 days	None	None	No	No	Director	Director	No	Yes	B of A 10 days	HE, then CC 14 days	Not specified	Open- record, then closed- record
Level 2 variances (Yet to be defined)																
Preliminary short subdivisions up to 4 lots	No	Director Discretion	Yes 14 days	Yes 14 days	None	None	No	No	Director	Director	Yes	Yes	CC 15 days	HE, then CC 14 days	Open- record	Open- record, then closed- record
SEPA threshold determinations	No	Director Discretion	No	No	No	None	No	No	Director	Director	No	No	None	HE, then CC 14 days	None	Open- record, then closed- record

	Pre-application Neighborhood meeting		NOA / Comment Period		Recommen- dation By		Pre-Decision Open Record Hearing		Decision By		Notice of Decision		Local Appeal To / Appeal period		Appeal Hearing Type	
	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed
SWMM adjustments and exceptions																
Special use permits for towers or antennas	No	Yes	Yes 14 days	Yes 21 days	Director	Director	Yes	Yes	CC	HE	Yes	Yes	None	CC	None	Closed- record
Level 3 Variances (Yet to be defined)																
Preliminary short subdivisions of 5-9 lots	No	Yes	Yes 14 days	Yes 21 days	None	Director	No	Yes	Director	HE	Yes	Yes	CC	CC 14 days	Open- record	Closed- record
CUPs, except Administrative CUPs	No	Yes	Yes 14 days	Yes 21 days	Director	Director	PC	PC	CC	PC	Yes	Yes	None – can appeal PC rec to CC	CC 14 days	None	Closed- record
Shoreline Substantial Development Permit	No	Yes	Yes 30 days	Yes 30 days	Director/ PC	Director	PC	PC	PC if < 3 ac, 1mil CC if > 3ac, 1mil	PC	Yes	Yes	CC if PC decision (5 days), otherwis e SHB	CC 14 days	Closed- record	Closed- record
Shoreline CUP & Variance	No	Yes	Yes 30 days	Yes 30 days	Director/ PC	Director	PC	PC	PC if < 3 ac, 1mil CC if > 3ac, 1mil	PC	Yes	Yes	CC if PC decision (5 days), otherwis e SHB	CC 14 days	Closed- record	Closed- record
Special use and reasonable use permits per AMC 17.70	No	Yes	Yes 14 days	Yes 21 days	PC	Director	PC	PC	CC	PC	Yes	Yes	None	CC 14 days	None	Closed- record
Any other applications identified as “conditional uses” in AMC Title 17	No	Yes	Yes 14 days	Yes 21 days	PC	Director	PC	PC	CC	PC	Yes	Yes	None	CC 14 days	None	Closed- record
EPFs, type 1 and 2	Yes	Yes	Yes	Yes	Director	PC	No	PC	CC	CC	Yes	Yes	None	None	None	None
Manufactured home subdivisions	No	Yes	Yes 14 days	Yes 21 days	PC	PC	PC	PC	CC	CC	Yes	Yes	None	None	None	None
Preliminary long subdivision	No	Yes	Yes 14 days	Yes 21 days	PC	PC	PC	PC	CC	CC	Yes	Yes	None	None	None	None
Site-specific rezone authorized by comp plan	No	Yes	Yes 14 days	Yes 21 days	PC	PC	PC	PC	CC	CC	Yes	Yes	None	None	None	None



Planning Commission Agenda Bill

Meeting Date: 11/9/2016

Agenda Item: CUP-2016-1001

Subject: Veterinary Clinic CUP

Staff Contact: Kait Nelson, Associate Planner

Approved for Submittal to Commission by	
X	Don Measamer, Director

Action Type	
X	Public Hearing
X	Discussion
X	Recommendation

Summary Statement: Permit a Veterinary Clinic as a Conditional Use.

Recommended Motion: Discussion & approval of the subject CUP recommendation with suggested conditions of approval

Attachments (listed in order presented): [Click here to enter text.](#)

Planning Commission's Draft Findings of Fact, Conclusions of Law, & Recommendation

Exhibit #01: Site Plan

Exhibit #02: Building Plan

Exhibit #03: Master Permit, Narrative, & Assessor's Info

Exhibit #04: Public Comments Received

Exhibit #05: Department Comments Received

Exhibit #06: Net Square Footage

**Anacortes Planning, Community, & Economic Development Dept.**

Permit Center

P.O. Box 547, Anacortes, WA 98221-0547

Don Measamer, *Director of Planning, Community and Economic Development*

PH (360) 293-1901

FAX (360) 293-1938

Planning Commission's Draft Findings of Fact, Conclusions of Law, & Recommendation

I) Background Information

Open Record Public

Hearing Date	November 9, 2016
File Number	CUP-2016-1001
Applicant	Mike Miranda, Freiheit & Ho Architects, 5209 Lake Washington Blvd Ste 200, Kirkland, WA 98033
Landowner	Challenge Investments LLC, PO Box 932, Coupeville, WA 98238
Subject Proposal	A conditional use permit to allow a veterinary clinic within an existing building complex.
Project Location	1812 Commercial Avenue, Anacortes, WA 98221
Subject Parcel	P55172
Zoning/Comprehensive Plan Designation	C/Commercial Zoning District
Site Area	Single Parcel ± 4,300 square feet; Total Area ± 12,600 square feet
Utilities	Drainage, sewage, and water will be provided by the City of Anacortes.
Lot Access	Commercial Avenue & 19 th Street

II) Findings of Fact

A) Nature of Application

- 1) A "veterinary clinic" use in the Commercial Zone is permitted via an approved Conditional Use Permit per AMC 17.24.040(F).
- 2) The veterinary clinic is approximately 1,800 square feet. The adjacent building which shares parking with the veterinary clinic includes a salon, a music studio, and a Verizon retail store. The surrounding buildings include restaurants, retail, and clinic space, consistent with the Commercial Zone.
- 3) On September 14, 2016, the City of Anacortes's Department of Planning, Community, & Economic Development received the subject Conditional Use Permit application. The application was deemed complete on October 12, 2016.
- 4) The legal notice was published in the Anacortes American on October 19, and the 15-day comment period ended at 5:00 p.m. on November 2, 2016. Comments are accepted up until the open-record public hearing. Comments are referenced in the attached exhibit list. The subject property was posted with Public Notice Signage along Commercial Avenue with one weighted A-board in front of the subject property.

B) Consistency with AMC Title 17.10, Board of Adjustment, Planning Commission, and Conditional Uses

- 1) A conditional use permit is used as a mechanism for consideration of certain uses, which because of their unusual size, infrequent occurrence, special requirements, possible safety hazards, or detrimental effects on surrounding properties are classified as conditional uses and so designated in the various use districts.
- 2) Certain uses may be allowed in those designated use districts by a conditional use permit granted by the City Council after Planning Commission recommendation provided such use is specified under the conditional use subsection of the appropriate use district and is clearly shown to the City by the applicant that it is not detrimental to the surrounding neighborhood. Prior to approval by the City Council of such a permit it must be shown that the use will not be a liability to the neighboring uses.
- 3) Pursuant to AMC 17.10.100(2), a conditional use permit shall be granted by the City only if the applicant demonstrates the following:

- a. The conditional use is designed in a manner which is compatible with the character and appearance of the existing, or proposed, development in the vicinity of the subject property and is consistent with the purpose of the zone in which the subject property is located;

Staff Analysis: The building is already existing and there will be interior renovations only.

- b. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;

Staff Analysis: The building is already existing, there will be interior renovations only.

- c. The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;

Staff Analysis: Characteristics are compatible and there will be interior renovations only.

- d. Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title or will not be detrimental to the surrounding neighborhood;

Staff Analysis: No modifications have been requested.

- e. The conditional use is not in conflict with the health and safety of the community;

Staff Analysis: The proposed use will not represent a health or safety concern to the community.

- f. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood, and adequate pedestrian and vehicular connections to the arterials and adjacent areas as well as appropriate circulation within the project are provided consistent with city policies and standards for circulation patterns in the area;

Staff Analysis: No modifications are proposed to the site design or the existing site access, and the conditional use is not anticipated to significantly increase traffic flow in or around the site. There are no anticipated problems associated with pedestrian or vehicular traffic.

- g. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities; and

Staff Analysis: The proposed use does not require a significantly disproportionate demand of public facilities, including but not limited to water, sewer, and power, and will not adversely affect public services to the surrounding areas.

- h. The conditional use is in compliance with the comprehensive plan;

Staff Analysis: The purpose of the Commercial Zone is to provide for a wide variety of general service, retail, commercial, and mixed-uses that serves local and regional residents and the traveling public. The Economic Development Element of the Comprehensive Plan lists Goal ED-1 Balanced Economy, which includes several applicable policies of this use.

- 4) The City Council may impose conditions if it is deemed necessary for the protection of the surrounding properties and for the general welfare of the public per AMC 17.10.100(3).
- 5) The applicant has submitted all necessary application materials as outlined in AMC 17.10.100(C).
- 6) Fees were paid and proper notice was given pursuant to AMC 17.10.100(E).
- 7) The subject proposal is exempt from SEPA environmental review pursuant to WAC 197.11.800 & AMC 18.04.

C) Consistency with Chapter 17.24 Commercial District

- 1) The objective and intent of the Commercial District is to provide for establishments offering accommodations or services to motorists and tourists, and to provide areas for retail, whole sale, and repair activities outside the central business district.

- 2) The subject building shares an off-street parking area with the building immediately to its south (1816 Commercial Avenue), which currently houses a retail store, beauty salon, and a residence. This building's historic use has been retail, and until recently when the parking area to the west was constructed, the building was nonconforming with respect to off-street parking. Given its nonconforming status, it is not subject to off-street parking requirements for continued retail-type uses. The parking requirement for the veterinary clinic is calculated at 2.2 spaces based on approximately 552 net square feet (4 spaces required per 1,000 net square feet). The building owners have estimated 14 spaces in the shared parking area to the west. The veterinary clinic will have 4 spaces reserved within the shared parking area, which satisfies its parking requirement. There are also approximately 4 on-street parking spaces available on Commercial Avenue fronting the site.
- 3) Other design standards were addressed during construction of the existing building. Only interior renovations are proposed.

The subject proposal is consistent with the above development regulations and CUP criteria of approval. The proposed land use is permitted in the underlying zoning district.

Public Comments Received

During the 15 day comment period, one comment was received from the public, referenced as exhibit 5. Comments were received from Public Works Department and the Fire Department, exhibit 6. No comments were received from agencies of jurisdiction at the time that this report was written.

III) Conclusions of Law

- 1) The Planning Commission bases its Findings of Fact, Conclusions of Law, & Recommendation on the entire record, including all testimony and exhibits. Any finding which would be deemed a Conclusion of Law, and any Conclusion of Law which should be deemed a finding is hereby adopted as such.
- 2) The proposed conditional use permit as conditioned conforms to the general purposes of the City's comprehensive Plan, the City's planning standards and specifications of the zoning ordinance, including Section 17.10.100 – Conditional Use Permits (except for bed and breakfast establishments), and other ordinances applicable to the proposal.

Staff Recommendation

The department of Planning, Community, and Economic Development recommends that the Planning Commission make a recommendation of approval to City Council regarding the subject Conditional Use Permit subject to the staff suggested conditions of approval listed below.

Planning Commission Recommendation

Based on the foregoing information and analysis submitted by the applicant; the City regulatory authority to implement the policies, standards, and the regulations of the Comprehensive Plan; and the Anacortes Municipal Code (AMC), the Planning Commission **recommends approval/approval with conditions/or denial** to City Council of the subject conditional-use permit, subject to the following conditions of approval.

- 1) The scope of the project shall not exceed that as set-out in the conditional use permit application and in accordance with the determinations made and conditions imposed.
- 2) A building permit shall be secured for the proposed tenant improvements and the change of use prior to occupancy of the building.
- 3) The applicant shall be responsible for reimbursement to the City of Anacortes for the cost of posting, mailing, and publication of the public hearing for the subject CUP. Payment shall be made prior to building permit approval.

These Findings of Fact, Conclusions of Law, and Recommendation were adopted by the Anacortes Planning Commission on _____.

City of Anacortes, WA, Planning Commission

Marty Laumbattus, Planning Commission Chair

Appeals

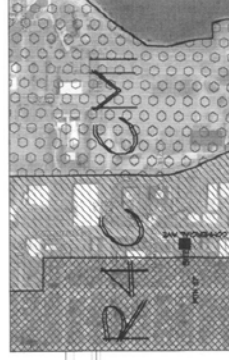
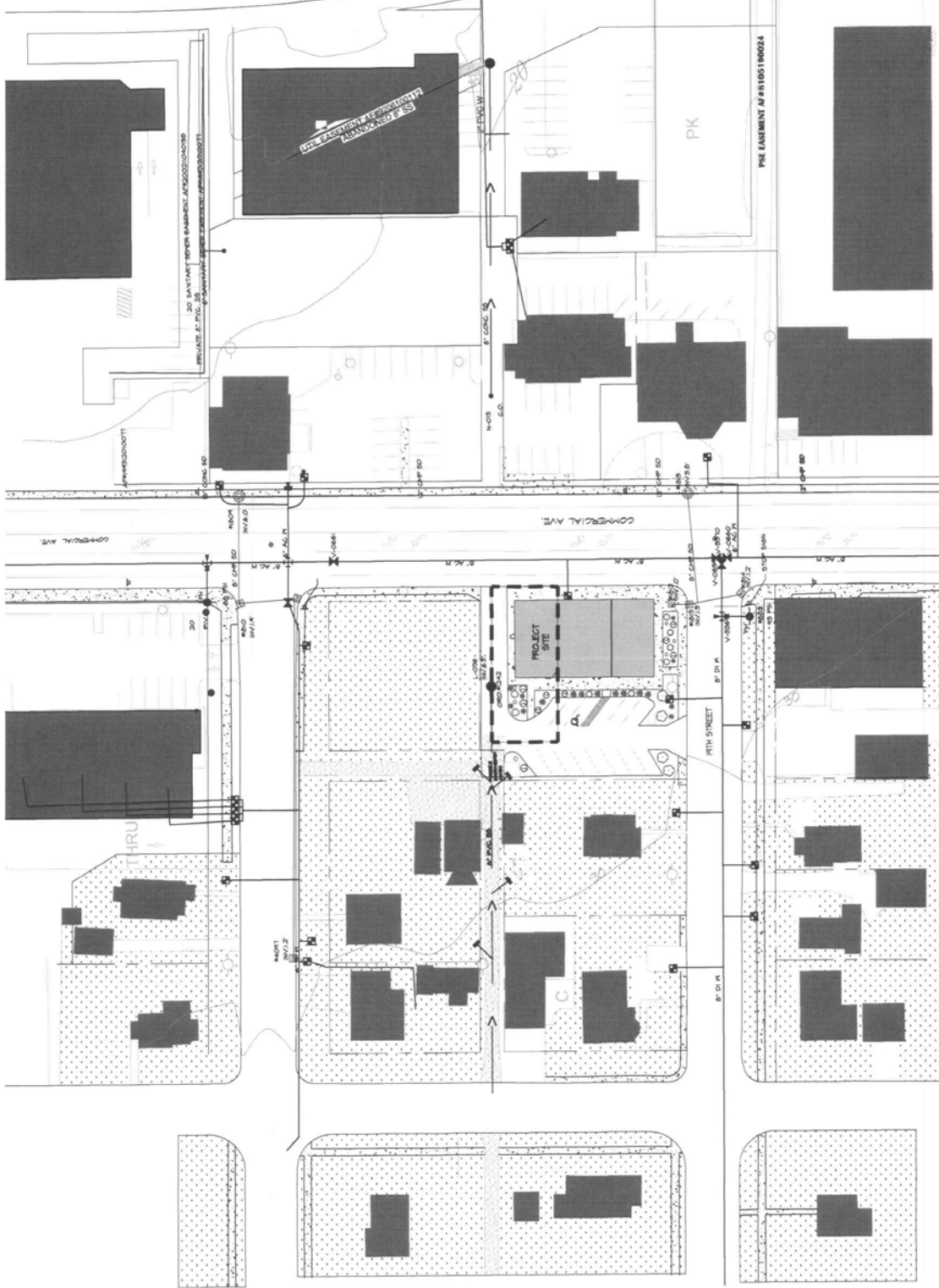
Any aggrieved party shall have five (5) working days from date of the action to appeal the recommendation of the Planning Commission to the City Council. The appeal shall be in writing and is to be filed with the City clerk. If an appeal is filed by an aggrieved party, this appeal shall be a closed record appeal to the City Council who shall decide the matter. (AMC 17.10.100(E)(7)).

Exhibits

Exhibit #	Name of Exhibit
1	Site Plan
2	Building Plan
3	Master Permit, Narrative, & Assessor's Info
4	Owner Authorization
5	Public Comment Received
6	Department Comments Received
7	Net Square Footage

Exhibit 1

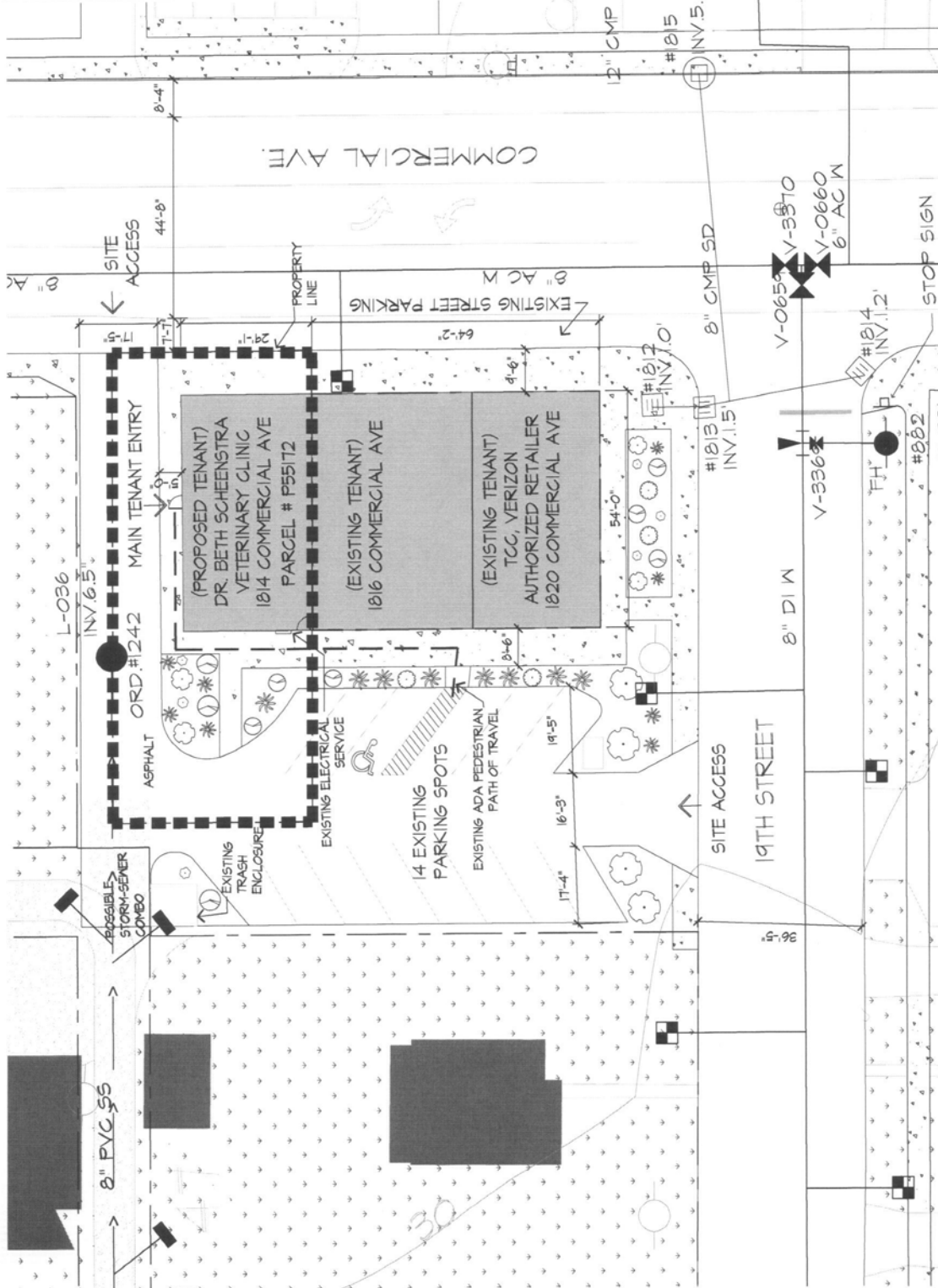
LEGEND	
P	SIGN
☉	STREET LIGHT
■	WATER METER
●	SANITARY SEWER MANHOLE
⊞	STORM DRAIN
○	POWER POLE
⊕	STORM DRAIN MANHOLE
FH	FIRE HYDRANT
⌵	WATER VALVE
▨	CONCRETE
▤	GRASS
▧	GRAVEL



CONTEXT PLAN
SCALE: 1/8" = 1'-0"

DR. BETH SCHEENSTRA, DVM VETERINARY CLINIC
CONDITIONAL USE APPLICATION | 1814 COMMERCIAL AVE ANACORTES, WA
09.05.2016

LEGEND	
P	SIGN
☉	STREET LIGHT
◼	WATER METER
●	SANITARY SEWER MANHOLE
▨	STORM DRAIN
○	POWER POLE
⊖	STORM DRAIN MAN HOLE
⦿	FH
⦿	FIRE HYDRANT
⦿	WATER VALVE
▨	CONCRETE
▨	GRASS
▨	GRAVEL



PARCEL # P55172

LEGAL DESCRIPTION: THE NORTH 35 FEET LOTS 18, 19 AND 20, AND THE NORTH 35 FEET OF THE EAST 5 FEET OF LOT 17, BLOCK 47, MAP OF THE CITY OF ANACORTES, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, WASHINGTON, TOGETHER WITH THE SOUTH 1/2 OF THE VACATED ALLEY ADJOINING AND ALSO TOGETHER WITH THE NORTH 1/2 OF THE EAST 100 FEET OF THE VACATED ALLEY IN BLOCK 47, MAP OF THE CITY OF ANACORTES, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 4, RECORDS OF SKAGIT COUNTY, WASHINGTON.

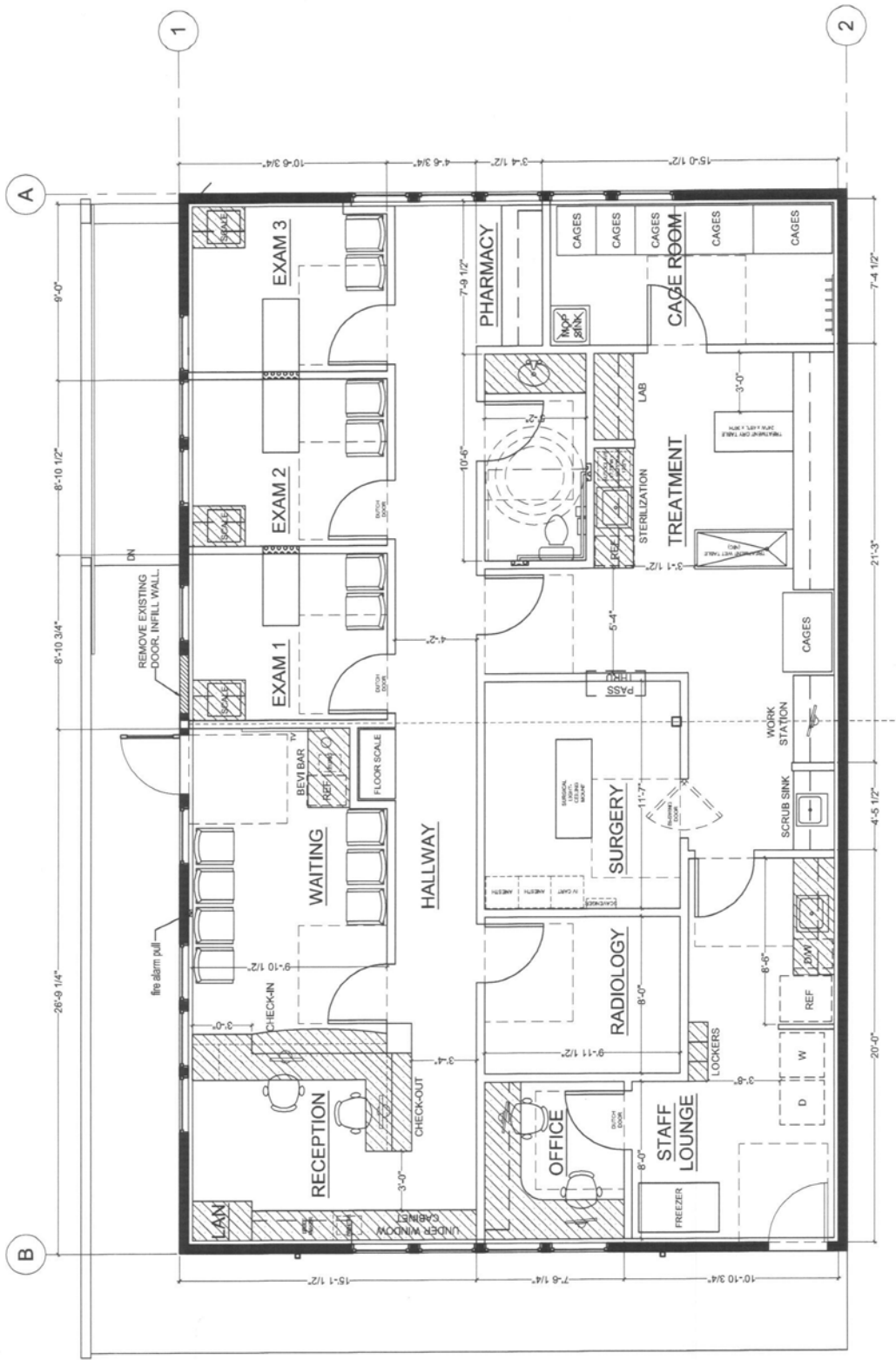


SITE PLAN
SCALE: 3/32\"/>

DR. BETH SCHEENSTRA, DVM VETERINARY CLINIC
CONDITIONAL USE APPLICATION | 1814 COMMERCIAL AVE ANACORTES, WA
09.05.2016

Freiheit & Ho
architects

Exhibit 2



SCHEMATIC SPACE PLAN
 DR. SCHEENSTRA | SCALE: 3/16" = 1'-0" | USF 1836 | 08.30.2016

Exhibit 3

City of Anacortes – Planning, Community, and Economic Development
906 – 6th Street, P.O. Box 547, Anacortes, WA 98221-0547
MASTER PERMIT APPLICATION

1.

	Applicant	Contact Person (if different)
Name:	Mike Miranda - Freiheit & Ho Architects	
Mailing Address:	5209 Lake Washington Blvd NE - Suite 200	
City, State, Zip:	Kirkland, WA 98033	
Phone#:	425-827-2100	
Fax#:	425-828-6899	
E-mail:	mmiranda@fhoarch.com	
2. Applicant's Interest to Property (check one)
☐ Owner ☐ Contract Purchaser ☐ Lessee ☒ Other (specify) Architect
3. All Persons/Firms having an ownership interest in the property:
Name: Challenge Investmensts LLC Attn: Jerry Saia Phone#
Address: PO Box 932 Coupeville, WA 98238
Name: Phone#
Address:
Name: Phone#
Address:
4. Property Address 1814 Commercial Ave
General location of property (including nearest intersection): SEC: 19 TWP: 35 RNG: 02
19th St and Commercial Ave
- *By submittal of this application, the property owner/applicant grants permission for public officials at the City of Anacortes to enter the subject property, if necessary, for the purpose of site inspection.
5. Attach legal description of property. (If recording of legal description is required, the format MUST comply with Recording Requirements.) See Attached
6. List all Property Tax Account Numbers involved in this application (Attach separate pages if necessary):
See Attached
7. Approximate acreage: 1.0 AC 8. Present zoning: C-Commercial
9. Present use of property: Vacant

10. Source of water supply and sewer supply: Existing Infrastructure

11. Permits requested from City:

- | | |
|--|---|
| ☐ Annexation | ☐ Rezone |
| ☐ Boundary Line Adjustment | ☐ Shoreline Exemption |
| ☐ Binding Site Plan | ☐ Shoreline Management Conditional Use Permit |
| ☒ Conditional Use Permit | ☐ Shoreline Management Substantial Development |
| ☐ Comprehensive Plan Amendment | ☐ Shoreline Variance |
| ☐ Planned Unit Development | ☐ Short Plat |
| ☐ Plat Modification | ☐ Special Use |
| ☐ Preliminary Plat | ☐ Variance |

☐ Other: _____

12. Explain your request and ALL proposed uses included in this proposal: Veterinary Clinic

PLEASE FILL IN ALL APPLICABLE SECTIONS

FOR REZONES:

13. Requested zoning: _____

14. Comprehensive Plan designation: _____

15. Has anyone applied for a rezone of this property within the last five years? _____
If yes, who? _____ Year? _____

FOR SUBDIVISIONS (PLATS):

16. Plat Name: _____ 17. Number of Lots: _____

FOR SHORT SUBDIVISIONS (SHORT PLATS):

18. Number of Lots: _____ 19. Duplex Lots Proposed: _____

Details for Parcel: P55172



Jurisdiction:

Zoning Designation:

Parcel Number
P55172

XrefID
3772-047-020-0106

Quarter Section Township Range
19 35 02

Owner Information
CHALLENGE INVESTMENTS I LLC
ATTN JERRY SAIA
PO BOX 932
COUPEVILLE, WA 98238

Site Address(es)
1814 COMMERCIAL AVE
Anacortes, WA (Jurisdiction, State)
[Zip Code Lookup](#) | [Site Address Information](#)

Map Links
[Open in iMap](#)
Assessor's Parcel Map:
[PDF](#) | [DWF](#)

2015 Values for 2016 Taxes*

Building Market Value	\$0.00
Land Market Value	+\$188,000.00
Total Market Value	\$188,000.00
Assessed Value	\$188,000.00
Taxable Value	\$188,000.00

Sale Information

Deed Type QUIT CLAIM DEED
Sale Date 2014-03-12
Sale Price \$0.00

2016 Property Tax Summary

2016 Taxable Value	\$188,000.00
General Taxes	\$1,862.06
Special Assessments/Fees	
Total Taxes	\$1,862.06

* Effective date of value is January 1 of the assessment year (2015)

Legal Description [Definitions](#)

THE NORTH 35 FEET LOTS 18, 19 AND 20, AND THE NORTH 35 FEET OF THE EAST 5 FEET OF LOT 17, BLOCK 47, "MAP OF THE CITY OF ANACORTES", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 4, RECORDS OF SKAGIT COUNTY, WASHINGTON. TOGETHER WITH THE SOUTH 1/2 OF THE VACATED ALLEY ADJOINING AND ALSO TOGETHER WITH THE NORTH 1/2 OF THE EAST 100 FEET OF THE VACATED ALLEY IN BLOCK 47, "MAP OF THE CITY OF ANACORTES", AS ER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 4, RECORDS OF SKAGIT COUNTY, WASHINGTON.

*Land Use	(690) MISCELLANEOUS SERVICES	WAC 458-53-030	
Neighborhood	(6R1ANA) ANACORTES GENERAL RETAIL		
Levy Code	0900	Fire District	
School District	SD103	Exemptions	
Utilities	SEW,WTR-P	Acres	0.00
Improvement 1 Attributes Summary			
Building Style	COMMERCIAL REAL PROPERTY		
Year Built		Foundation	
Above Grade Living Area	1,836 Square Feet	Exterior Walls	
Finished Basement		Roof Covering	
*Total Living Area	1,836 Square Feet	Heat/Air Conditioning	
Unfinished Basement		Fireplace	
*Total Garage Area		Bedrooms	
Bathrooms			
<i>For additional information on individual segments see Improvements tab</i>			

* Land Use codes are for assessment administration purposes and do not represent jurisdictional zoning. Please contact the appropriate planning department in your jurisdiction for land use questions.

* Total living area includes above grade living area and finished basement area.

* Garage square footage includes all garage areas; basement garages, attached garages, detached garages, etc.

Assessment data for improvements is based on exterior inspections. Please contact the Assessor's office if the information does not accurately reflect the interior characteristics.

Exhibit 4

Challenge Developments

Jerald L. Zavalney

12062 Marine Drive
Anacortes, WA 98221

Phone: 360 202 6918
Fax: 360 293 7348
zavalney@aol.com

September 28, 2016

Don Measamer
Director of Planning, Community & Economic Development
904 6th Street
PO Box 547
Anacortes, WA 98221

Re: Landlord Authorization of CUP Application for 1814 Commercial Avenue, Anacortes, WA

Dear Don,

As the owners of the commercial building located at 1814 Commercial Avenue, we authorize the Conditional Use Permit application currently underway for our building in connection with a new veterinary practice and look forward to providing any information or assistance required for your review.

Thank you,


Jerry Saia

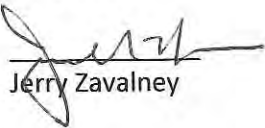

Jerry Zavalney

Exhibit 5

Nelson, Kaitlynn

From: Laurie Sherman <shermanpt@gmail.com>
Sent: Tuesday, October 25, 2016 9:46 AM
To: Nelson, Kaitlynn
Subject: CUP-2016-1001

RE: Vet Clinic 1814 Commercial/ P55172

My name is Laurie Sherman, co-owner with Paul Sherman of Sherman Physical Therapy and owners of adjacent properties on 1008 and 1020 19th St. We would like to see more details re the clinic:

1. parking for the pet owners, is there enough and is a green space included in the plan to accommodate pets' need to pee and poop before entering the clinic?
2. Does the clinic plan to keep pets overnight and if so, what steps that will be taken to contain the noise?
3. Does the clinic plan to euthanize pets, if so does the plan include space for cold storage until disposal.

Laurie and Paul Sherman
4596 Ginnett Rd
Anacortes WA 98221

Exhibit 6



Anacortes Planning, Community & Economic Development Dept.

Permit Center

P.O. Box 547, Anacortes, WA 98221-0547

Don Measamer, *Director of Planning, Community and Economic Development*

PH (360) 293-1901

FAX (360) 293-1938

DEPARTMENT / AGENCY COMMENT FORM:

September 19, 2016

Project Name: Veterinary Clinic CUP; CUP-2016-1001

From: Kait Nelson, Associate Planner; City of Anacortes; 904 6th Street; P.O. Box 547, Anacortes, WA 98221; Phone: (360) 299-1969; Email: kaitlynn@cityofanacortes.org

Description of Subject Proposal:

The applicant recently submitted for a conditional use permit to remodel the interior of an existing building to hold a veterinary clinic. The project is located at 1814 Commercial Avenue, in the Commercial Zoning District. **Please provide any comments /requirements to me by: 5:00 PM on September 23, 2016.** The DRG meeting is scheduled for 1:30 PM on September 27, 2016, and will be held in city hall council chambers.

Applicant:

Mike Miranda
5209 Lake Washington Blvd NE
Suite 200
Kirkland, WA 98033

Conditions &/or Requirements:

- NO PUBLIC WORKS ENGINEERING ISSUES. ALL WORK PERFORMED UNDER PREVIOUS LAND USE ACTION.

Signature:

STEVEN LANGE

Date:

09.20.16

Dept. / Agency Name:

CITY OF ANACORTES ENGINEERING

Nelson, Kaitlynn

From: Nemeth, Terry
Sent: Tuesday, September 20, 2016 9:12 AM
To: Nelson, Kaitlynn
Subject: RE: Sep 27 DRG Meeting

Kait,
This unit would require an RPBA premise isolation per DOH table 9
thanks

From: Nelson, Kaitlynn
Sent: Monday, September 19, 2016 10:48 AM
To: Development Review Group <DevelopmentReviewGroup@cityofanacortes.org>
Subject: Sep 27 DRG Meeting

DRG,

There is a development review group meeting scheduled for September 27, at 1:30 pm. The applicant has applied for a conditional use permit to renovate the interior of an existing building for a veterinary office. The building is located at 1814 Commercial Avenue in the Commercial Zoning District. Please provide any comments to me by 5:00 p.m. on September 23.

Reminder: There are two meetings that have previously been scheduled on September 20 as well.

Thank you,
Kait Nelson

Exhibit 7

