



**City Council Minutes – May 27, 2008**  
**Continued Meeting of May 19, 2008**

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Mayor Maxwell called the continued meeting of May 19, 2008 to order at 7:30 p.m. Roll call found present: Nick Petrish, Erica Pickett, Brad Adams, Bill Turner, Brian Geer, Kevin McKeown and Cynthia Richardson.

**Museum Advisory Board Reappointments**

Mayor Maxwell opened the continued meeting with the Museum Advisory Board reappointments. Tom Kuhn's and Kay Reinhardt's terms have expired and both expressed interest in continuing on the Board. Lewis Jones and Steve Oakley recommend they be reappointed to another four-year term ending in April 2012. Mayor Maxwell added a special thank you to all the volunteers that work on the many City boards. Motion was made by Mr. Bill Turner to approve the reappointments. The motion was seconded by Mr. Brian Geer and passed unanimously.

Mayor Maxwell related that the City recently received a \$500 check from a citizen concerned about the T-Mobile monopole who asked that the money be used to help defend the City position on cell towers. Mayor Maxwell provided that he recently had a conversation with Representative Rick Larson and informed him that the City is not very pleased to have our local regulations usurped and that we would appreciate some congressional assistance to support our rules and regulations. The City has a provision for cell towers in our community which provided T-Mobile with the opportunity to place their tower on public sites. T-Mobile refused the other sites and filed suit against the City with the 9<sup>th</sup> Circuit District Court wherein T-Mobile prevailed. Mayor Maxwell stated that this ultimately puts 284 cities in Washington in jeopardy because any organization could come into their town and do whatever they believe is right without regard to local zoning.

Ian Munce added that the District Court did receive our motion to stay and has requested briefing from both parties. The City's reply to T-Mobile's brief is due June 2. Mr. Munce stated that there is a glimmer of hope! Mayor Maxwell expressed his appreciation for the funds and citizen support.

**2008 Development Regulations Review**

Mayor Maxwell introduced the 2008 Development Regulations and stated that the purpose of tonight's meeting will be to take additional comments on existing submittals. Each person commenting will be allowed 3 minutes for their presentation. Mayor Maxwell then requested that Mr. Ian Munce, Planning Director, provide the background on the Development Regulations review and proceed with the public comment. Mr. Ian Munce stated that every 7 -10 years, Washington cities and counties are required to update their comprehensive plans and implementing regulations. The City of Anacortes is now in the process of updating its Development Regulations. This includes the Zoning, Subdivision and related Critical Area ordinances. Mr. Munce stated that the Critical Area ordinance and Airport Development Regulation pieces have been completed. The Development Regulations review was started about 18 months ago and the City received 59 comments. The 59 exhibits contain changes ranging from minor clerical issues to major policy changes and rezone issues. Exhibit 43 contains all the input by Cynthia Richardson, Terry Christianson and others on the zoning code.

Mr. Munce suggested that the City Planning Committee (Mrs. Pickett, Mr. Turner, and Mrs. Richardson) review these submittals and divide them into three categories; housekeeping changes,

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changes that are major but the committee doesn't feel ready to recommend which would either be tabled or put back on agenda, and major issues that need full attention by the Council. The review may take until the end of the year because of the huge depth of comments that will need full attention.

Mr. Munce stated that tonight's meeting is not to receive new proposals. Tonight's meeting is intended to give those who initially submitted proposals the opportunity for further clarification and for others to comment on the submitted material. The City will take written comments through Friday, May 30, 2008.

Mr. Munce pointed out there are two items that are different. A Citizen Advisory Committee on affordable housing was established last year and prepared a comprehensive plan for affordable housing. This should be reviewed as a package. The Old Town development is being addressed separately but will eventually wind into the Development Regulations review this fall.

Mr. Brad Adams asked for an explanation of the relationship between the Comprehensive Plan and the Development Regulations and how they work together. Mr. Munce explained that the Comprehensive Plan guides the development of policy but because there are so many details involved, it is not easy to translate the regulations into policy. With no further questions, Mayor Maxwell opened the public meeting for comment.

Mr. Dave Sims, Sebo's, Anacortes, reiterated his request to change the current electronic sign ordinance to electronic signs that have changing messages. This change would be limited to one minute intervals.

Mr. Nick Cholly 909 7<sup>th</sup> Street, owner of Walgreen's, supports a changing electronic sign and suggested that changing every 15 seconds would not cause problems. Mr. Munce stated that the current standard is that signs change three times a day.

Mr. Chuck Bush, 2609 Creekside Lane, made an inquiry about the results of an economic study requested by the City Council a few years ago. Mr. Bush was directed to the study available on-line (<http://www.cityofanacortes.org/documents/economicstudyphaseII>). Mr. Bush stated his concerns regarding restricting formula businesses in the CBD. He believes this would create problems for businesses such as Radio Shack and that limiting the size of retail stores would limit the amount of retail tax collected for the City.

Mr. Al Johnson, 1201 4<sup>th</sup> Street, spoke regarding submittals #33 and #37. Mr. Johnson thanked the City and staff for ample opportunity for citizen input. Mr. Johnson suggested the Council review his submittal regarding the North Maple Grove neighborhood and believes his changes will encourage growth and provide much needed affordable housing. Mr. Johnson discussed his submittal regarding height limit increases in downtown Anacortes (#37) and believes the current suggested changes are a "piecemeal" planning process and would create an unbalance residential dominance in the downtown area.

Ross Barnes, 1004 7<sup>th</sup> Street, commented on Exhibit 12, the proposed rezone of a portion of St. Mary's Church that is currently zoned R1. The Church has requested that this portion or their property be rezoned for an eventual development. Mr. Barnes stated that the Happy Valley Stream runs directly through this portion of the property. An R1 size development would be reasonable in this area but the area could not support an R3 density due to the stream.

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Gabriel Olmstead, 1019 16<sup>th</sup> Street, thanked the staff and Ian Munce for their work on this issue. Mr. Olmsted is concerned about the 50 foot height limit in the R4 in that it would dwarf some of the smaller buildings. He believes it would be a significant detrimental impact on existing smaller homes.

Mayor Maxwell asked if there were any further comments. Mr. Bill Turner inquired whether the Happy Valley Stream is listed in the critical areas ordinance. Mr. Munce stated that he believed it was.

The continued meeting was concluded at approximately 8:15 p.m.