



City Council Study Session Minutes – January 25, 2010

At 7:30 p.m. Mayor Maxwell called the regularly scheduled study session of January 25, 2010 to order. Kevin McKeown, Nick Petrish, Erica Pickett, Brad Adams, Bill Turner, Cynthia Richardson and Brian Geer were present.

Anacortes Futures Project Update

Mike Trafton, Anacortes Chamber of Commerce President, introduced Chamber Vice President Mark Bunzel who is facilitating the Anacortes Futures Project Temporary Team. Mr. Bunzel reviewed the work of the Project since its last presentation to Council in July 2009 and plans for the next year or two. Since July the Project has presented its initial report to the Port Commission, the School Board, the Hospital Board and service clubs in addition to City Council and has made its report widely available. The Temporary Team formed last June to guide the project includes Mayor Dean Maxwell, Planning Director Ryan Larsen, Port Executive Director Bob Hyde, Port Finance Director Chris Johnson, and Mitch Everton and Pam Allen from the Chamber of Commerce. The Temporary Team met twice monthly to map out how to proceed with the opportunity assessment, economic development strategy and strategic plan under the guidance of a Steering Committee beginning in 2010.

Mayor Maxwell and others have observed that the City has undertaken this type of strategic planning before, in the fifties and again in the eighties. Mr. Bunzel observed that in each generation the same topics have arisen including achieving a healthy retail mix, downtown vitality, and access to the waterfront. Past studies had great ideas but not all of them were able to be implemented. For the current Project the Temporary Team has chosen a target end date of 2025 to set a timeline that fits within comprehensive plan cycles; has sketched out a plan for collecting public input and forming Advisory Committees to focus on various topics during 2010; has drafted an RFP for professional consultants to facilitate collecting and synthesizing public input and committee analysis; and has established a Steering Committee to guide that work including Mayor Maxwell, Bob Hyde, Mike Trafton, Mark Bunzel, Duncan Frazier, Laurie Gere, Stuart Janke, Courtney Orrock, Wallie Funk and an Anacortes High School student. The Temporary Team estimates a cost of \$75K/year for the next two years for a consultant. The Chamber of Commerce has committed \$12,500 to the effort and MJB has committed another \$12,500. City and Port contributions remain to be determined. The Project has planned a joint City Council study session on February 22, 2010 with the Port Commission and Chamber of Commerce Board. The Temporary Team hopes to have a consultant recommendation by then. Mr. Bunzel invited questions from Councilors.

Mr. Geer praised the collaborative nature of the effort and urged the City and Port to step up and participate in funding the next steps. Mr. McKeown asked how the \$75K will be spent. Mr. Bunzel said it is a rough estimate of consultant cost to facilitate the public meetings envisioned by the Temporary Committee and then review the data and assist the Steering Committee to develop a strategic plan. Mr. Turner asked if MJB is interested in participating in the process since it owns significant undeveloped downtown property. Mr. Bunzel said MJB has indicated interest in the project and will also contribute funding for the consultant but will not be allowed to drive the project. He added that other major stakeholders such as Bill Wooding and the tribes will need to be involved. Mr. Adams suggested that the study needs to look beyond just Fidalgo Bay to find the best options for the city as a whole. Mr. Bunzel said the plan is to look at the SR20 corridor, March Point, the Guemes Channel waterfront, and other areas but the study will have to focus somewhat. Mrs. Richardson agreed with Mr. Geer that the cooperative nature of the Project is very hopeful and asked what will be the deliverable for Phase I. Mr. Bunzel replied that Phase I will arrive at a weighted list of what the community wants to see by 2025. Phase II will evaluate which of those ideas are feasible and economically viable. Mrs. Richardson asked if the draft RFP can be circulated to Councilors and Port Commissioners for comment before it goes out on the street. Mayor Maxwell had requested that also. Mr. Bunzel said he would do so. Mr. Petrish said he supports the project 100% and recalled previous times when diverse organizations successfully cooperated to achieve community-wide goals. Mr. Bunzel can be reached for questions via email (mark.bunzel@burrowsbayassociates.com) or through the Chamber of Commerce. Tonight's presentation will also be posted on the Chamber of Commerce website (www.anacortes.org).

Shoreline Master Program Review

Planning Director Ryan Larsen summarized the history of the current round of SMP revisions which began in 2006. No comments were received during the 14-day public comment period following the SEPA threshold determination of non-significance on December 9, 2009. The Department of Commerce public comment period ends February 2, 2010. City Council will hold a public hearing at its February 1, 2010 regular meeting. Council may take action on the SMP as early as March 1, 2010 after which time it will be reviewed by Dept. of Ecology with a target of final completion this summer. Mr. Larsen noted that Dan Nickel from SMP consultant The Watershed Company was present to answer questions.

Mr. Larsen addressed the ten discussion items identified his January 21, 2010 memo to Council.

1. Environmental Designations: Mr. Larsen pointed out the revisions that appear on new Figure 5.1e which is a 4th iteration of this map and incorporates Council input from the last round of review. Mr. Petrish clarified that the color coding for Natural areas has changed between the last revision and the current map.
2. Shoreline Use and Modification Matrix (Table 5.1, page 65 of the draft SMP): Some minor changes have been made based on consultant and citizen input. Mr. Larsen suggested Council provide some direction on this table after the public hearing next week.
3. Development Standards: Shoreline setbacks in Shoreline Residential environments in Skyline Marina have reverted to the 25' setbacks used in the 2000 SMP.
4. Public Access: Mr. Larsen asked Council to review the new Policy 7.3.7 regarding the threshold for requiring public access for new subdivisions. The change is intended to resolve a discrepancy between old Policies 7.3.13 and 5.9.8. The new policy meets the WAC guidelines, which generally requires public access for subdivisions of four or more lots (stated as nine or more lots in the 2008 draft). Mrs. Pickett clarified that this change reconciles City rules to State rules. Mr. McKeown asked how long the SMP will be valid once approved. Mr. Larsen responded until 2019 unless the State legislature extends the period by three years.
5. Shoreline Stabilization: Staff is proposing new text to clarify the definition of and threshold between "replacement" and "repair." Repairs that involve more than 50% of a property's shoreline stabilization or more than 25 feet if the foundation is removed would qualify as replacement. Mr. McKeown asked for an example. Mr. Turner gave the example of a concrete seawall that needs either repair or replacement; replacement would require new soft armoring techniques whereas repairing could use the former concrete method. Mrs. Richardson noted the building code observes the same principle: small repairs allow replacement to the same standard but major damage (more than 50%) has to be rebuilt to current codes.
6. Pier Dimensional Standards: Based on past rulings by Dept. of Ecology, staff and the consultant propose adding dimensional standards for piers and docks in Shoreline Residential areas (not in Urban or Urban Maritime areas). The proposed standards mirror what U.S. Army Corps of Engineers permits require since applicants will have to get COE permits also. The proposed language also defines repairs vs. new construction. Mr. Larsen reported that the Planning Commission is recommending some changes to the proposed language. Mrs. Richardson pointed out Cap Sante is not allowed to add new residential docks and piers in the current draft; she asked to keep that issue on the table, at least as a conditional use. Mrs. Pickett asked that it be discussed at the public hearing. Mrs. Pickett also noted that the correct name of the body of water at Skyline Marina is Flounder Bay and asked that this be shown correctly in the SMP.
7. Vegetation Conservation. The consultant suggests a new consolidated chapter for this topic instead of having material distributed throughout the SMP. The WAC also suggests this. The existing Critical Areas Ordinance language that pertains to marine vegetation has been brought into the SMP as Appendix A. Mrs. Richardson applauded the former change but asked if the new Appendix A would require the City to go back to Dept. of Ecology in order to alter the Critical

Areas Ordinance. Mr. Larsen said no, the two are separate documents. Mr. Turner noted that the courts have decided that the SMP, not the CAO, governs in shoreline areas and asked for verification that the proposed Appendix A doesn't confuse that issue. Mr. Larsen said it does not.

8. Restoration Plan: This former chapter of the SMP will be pulled out and made Appendix B. Mr. Adams referred to Section 5, Other Agencies and Entities, and asked if the refineries are involved with shoreline restoration in the City of Anacortes. Mrs. Pickett noted there were fines from refineries earmarked for shoreline restoration but that the refineries aren't subject to the SMP as March Point is not inside the City limits. Mr. Larsen said the refineries are in the urban growth area, not the City limits. Mr. Adams asked Mr. Larsen to look into that further.
9. Exemptions: Exemptions from Substantial Development criteria have been revised to match the WAC requirements.
10. Critical Areas Ordinance: As discussed earlier, a revised version of the CAO has been added to the SMP as Appendix A. The revisions include removing exceptions (which are considered "variances" in the SMP) and including wetland replacement and enhancement ratios per Dept. of Ecology and U.S. Army Corps of Engineers standards. Mr. Turner asked if the City has to use the wetland replacement ratios from those other agencies and how appropriate they are for Anacortes. The consultant said it is not required but it helps to have consistent standards across jurisdictions. Mrs. Pickett asked how large the ratios are. The consultant said they vary depending on the wetland category rating. Mr. Larsen said he'd put the ratio table in the Council packet for the next meeting. Mrs. Richardson asked if the new ratios apply in shoreline areas only, not throughout the City. The consultant said yes, the ratios are for wetlands in shoreline areas only. Mrs. Richardson asked if Council then needs to reword the CAO to match. Mr. Larsen said no, the SMP and the CAO are separate documents. Mrs. Richardson ask how citizens would know which governs a particular wetland, the CAO or the SMP. She said it is housekeeping but the documents need to be consistent. Mr. Larsen said he would look at the two documents again to ensure they are speaking the same language.

Mr. Larsen directed Council's attention to the 11x17 summary of all public input received to date on the SMP along with staff and Planning Commission recommendations about each item. Mr. Larsen urged Councilors to focus on pages 1-11 prior to the public hearing on February 1, 2010; these are the items the Planning Commission recommends taking action on. Staff will be working on language for some of those items in the next two weeks. Mrs. Richardson thanked staff for the very useful format. Mr. Larsen thanked the consultant for developing it. The comment letters supporting the 11x17 summary will be provided at the next meeting. Mr. Larsen suggested that the February 1, 2010 public hearing may need to be continued to allow sufficient time to deal with all issues. He asked Councilors to bring their copies of the December 2009 draft SMP document to the February 1, 2010 public hearing.

There being no further business, at approximately 8:57p.m. Mayor Maxwell adjourned the regularly scheduled study session of January 25, 2010.