



City Council Study Session Minutes – January 10, 2011

At 7:30 p.m. Mayor Maxwell called the regularly scheduled Anacortes City Council study session of January 10, 2011 to order. Kevin McKeown, Nick Petrish, Erica Pickett, Brad Adams, Bill Turner, Cynthia Richardson and Brian Geer were present.

Historic Preservation Board Update

Historic Preservation Board Chair Susan Rooks presented an overview of the Board's accomplishments in 2010 and proposed initiatives for 2011. She reported that public outreach included a February workshop on Energy Conservation in the Older Home, unveiling of five historical interpretive panels placed at key locations around town, the annual Preservation Awards ceremony in October honoring Elaine Walker and Bret Lunsford, and the expanding Handbook of Anacortes House Styles which is posted on the Board's website and has been frequently downloaded. Ms. Rooks said the website has been very popular and represents extensive work by Historic Preservation Board members. She thanked Board member Jim Young and the IT Manager Jose Cervantes for their technical expertise.

Ms. Rooks reported that the Board applied for Dept. of Archeology and Historic Preservation grant and was awarded \$10,000 to complete its survey of pre-1940 buildings south of 24th Street. The grant allowed the Board to hire consultant Connie Walker Gray who has begun work on the survey and expects it to be completed in August 2011. Ms. Rooks said completing the survey (which is mandated by Ordinance 2530) is the Board's most important goal for 2011. In 2011 the Board will also be updating inventory forms for the Central Business District which was last surveyed in 1987. Ms. Rooks added that the group will research and add historical data to provide a full chronology for existing historic buildings.

Other 2011 initiatives will include the Library Centennial presentation on first librarian Luella Howard. Ms. Rooks appealed to the public for any historic photos of Howard's 10th Street neighborhood. In 2011 the Board will also work to add the Eagles Hall to the Historic Register, will continue website updates and add Handbook of Anacortes House Styles chapters, will sponsor a workshop on the House History Program, and will present the annual awards program for which public suggestions were welcomed. Finally, Ms. Rooks said the Board has money and means to prepare more interpretive panels and asked for community suggestions for topics and locations, particularly along Commercial Avenue. She noted that heritage tourists stay longer and spend more than any other type of visitors and discussed how historical interpretive signs encourage that demographic.

Mr. Turner asked what restrictions come into force if the Eagles Hall is added to the National Historic Register. Ms. Rooks explained that the building would be removed from either the register if it were significantly altered. She noted there are sources of grant money for maintaining historic register buildings. Mr. Petrish told Ms. Rooks he would like to discuss with her his 9th Street home and the 1891 Presbyterian Church at 5th Street and R Avenue. Mr. McKeown suggested adding a blog to the website. Mrs. Richardson noted that the historic inventory surveys houses at least 50 years old but reminded that every year more houses fall into that category and asked if construction dates are being recorded for newer buildings in preparation for future surveys. Ms. Rooks said yes and explained how the project is building a database based on County Assessor records. She also encouraged all citizens to prepare house histories regardless of the age of their homes. In response to the heritage tourism discussion, Mayor Maxwell advised that the international ferry run is again at risk and said a petition was in circulation to support the ferry run. Mr. Geer said he was happy the historic building survey was heading south of 24th street and praised the interpretive panels. He asked if the Historic Preservation Board can be reached via email if citizens have questions or information to share. Ms. Rooks said the Board welcomes contact via the website and also through the Anacortes Museum with which it works closely. In closing Ms. Rooks advised that new Historic Preservation Board officers would begin their terms in January including a new chair but that she would continue her work on the Board.

2010 Development Regulation Amendments Exhibits 1 through 4 Overview

Planning Director Ryan Larsen said the evening's workshop was to review 2010 Development Regulation Amendments Exhibits 1 through 4. He said the Planning Commission had made recommendations on four of the five 2010 exhibits and at its December 8, 2010 meeting asked that staff forward those to City Council for consideration per the Findings of Fact signed by Commissioner Gere and included in the Council packet. Assistant Planning Director Don Measamer presented the first three exhibits. Exhibit 1 concerns AMC 17.24.020 and AMC 17.24.040. Mr. Measamer read the proposed language which would change churches, libraries, public or municipal service facilities, veterinary clinics and nurseries from permitted to conditional uses in the Commercial Use zone, would add medical clinics and hospitals as conditional uses in that zone, and would explicitly add dry cleaners as permitted uses in that zone. Mrs. Richardson asked that medical clinics be defined and that plant nurseries and childcare nurseries be distinguished. Mr. Measamer agreed.

Mr. Measamer then discussed Exhibit 2 regarding changes to AMC 17.40, the sign ordinance. He thanked everyone who participated in the focus group that met for four months to arrive at the recommendations and provided some background surrounding that discussion. Mr. Measamer then read through the proposed changes to AMC 17.40.030 which included changes in Section A regarding lighted signs; the addition of Section A.1 regulating digital message signs and excluding them from the Central Business District; the addition of Section N regulating removal of signs on public property; and the addition of Section O regarding maintenance of signs. Mrs. Pickett asked if proposed 17.40.030.A was intended to apply to both interior and exterior signs and asked that interior signs explicitly be exempted. Mrs. Richardson disagreed. Mrs. Pickett noted that size of interior signs would be controlled by existing language limiting window coverage. Mr. Measamer said the idea bears discussion. Mr. Adams confirmed with Mr. Measamer that the proposed language would not allow digital signs in the CBD. Mr. McKeown asked if the language about removing improperly placed signs was meant for sandwich boards. Mr. Measamer said it would apply to any improperly placed sign. Mr. McKeown asked what the code says about sandwich board signs. Mr. Measamer said it requires them to be placed abutting the property being advertised. He added that staff intends to work to achieve better code compliance on that issue once the proposed regulations are adopted.

Mr. Turner asked if real estate signs have to be on private property and not on public right of way. Mr. Measamer said new language regarding real estate signs was included in the proposed amendment. Mr. Measamer then read a proposed addition to AMC 17.40.060, Section A, which would prohibit off-site real estate signs except for open house signs as regulated elsewhere in the code. Mr. Measamer then read proposed additions A.1.a and A.1.b to AMC 17.40.080 (signs in nonresidential districts that require a permit) which would regulate signs in/on multi-story buildings and multi-tenant buildings. Mr. Measamer then read through proposed changes and additions to AMC 17.40.130 regulating temporary public and quasi-public signs advertising events of various frequencies as well as real estate open house signs. Mr. McKeown asked the purpose of reading these detailed changes out loud. Mayor Maxwell explained that this workshop was intended to inform the public of proposed changes before the public hearing scheduled for the next regular City Council meeting. Mr. McKeown requested confirmation that the written materials were available to the public. Mr. Measamer confirmed the materials are available on the City website and that hard copy was available from the Planning Department.

Mr. Measamer then addressed Exhibit 3 which proposes changes to AMC 17.48.010 regarding Accessory Buildings, specifically tent structures and cargo containers. Mr. Measamer read the proposed language of Section B, which would allow tent structures taller than sixteen feet if they comply with height restrictions of listed zones; Section H, which would regulate tent structures as accessory buildings and govern their placement; and Section I, which would prohibit cargo containers in residential zones with certain exceptions for temporary containers. Mayor Maxwell observed that he has seen cargo containers in the streets. Mr. Measamer agreed and said they can be a safety hazard. Mrs. Richardson said that anything in the street is addressed by traffic regulations. Mr. Measamer said staff would like to address the issue in this code section as well to support enforcement efforts. Mr. Turner said that construction projects may require a container in a right of way for a brief period and asked that this be allowed unless it causes a safety risk. Mr. Measamer noted that containers on streets can also damage asphalt. Mr. Adams asked how the proposed language would apply to residences that have existing cargo containers. Mr.

Measamer said he would clarify with the City Attorney but that the AMC section regarding existing non-conforming uses would allow those containers to stay although they could not be modified in any way. He advised that Council could add language to require compliance with the new code within a specific period of time. Mr. Turner suggested one year. Mr. Geer asked if the same situation exists for tent structures. Mr. Measamer said yes. Mr. Geer asked if construction trailers would be allowed inside a fence. Mr. Measamer said yes. Mr. McKeown said there was no point in changing the regulations without requiring compliance. Mr. Turner and Mr. Geer agreed. Mr. Measamer said staff would bring back proposed language to that effect.

Mr. Larsen then presented Exhibit 4 which addresses AMC 17.17.020 regarding permitted uses in the Manufacturing/Shipping zone. He noted that the Planning Commission recommended that Council deny this proposal. Mr. Larsen read the new language proposed for 17.17.020.B which would regulate permitted uses for the specific area between T and U Avenues from 4th Street north to the zone boundary. Mrs. Richardson explained that this change would disallow building and repairing of boats and ships in that small part of the M/S zone. She stated that such activity does not currently occur there and the intention was to hold shipbuilding west of T Avenue to keep the most impactful activities that are allowed in the M/S zone at least a block away from the residential neighborhood to minimize conflicts and complaints. Mr. Larsen then read the proposed addition of AMC 17.17.060.C regarding setbacks in the M/S zone in the area of U Avenue. Mr. Larsen then read the proposed addition of AMC 17.17.090.B regarding maximum building height in the specific area between T and U Avenues from 4th Street north to the zone boundary including building configurations that could allow structures taller than the limit. Mr. Larsen then showed graphic examples of the roof slopes that would qualify for additional height. Mr. Larsen then read the proposed new AMC 17.17.110.D regarding basic design standards in the same area. Finally Mr. Larsen read the proposed new language for AMC 17.60.020.C regarding lots of record which would grandfather pre-1978 homes in this small area. Mrs. Richardson explained that placing a residential zone directly adjacent to a manufacturing zone is not ideal but that situation exists in the area in question. She said that 1.5 block area has always been housing and has provided a transitional area between uses. She said the question before Council is whether these small adjustments are a reasonable response to this historic conflict that would allow shipbuilding to exist more compatibly with the neighborhood or whether shipbuilding is so important that it needs to be allowed to eventually grow right up to residences. She argued that the time to answer the question is now before shipbuilding actually extends into the area.

Mr. Larsen reiterated that the Planning Commission recommended approving Exhibits 1 through 3 and denying Exhibit 4 and noted that all the recommendations were unanimous votes. He then said that a public hearing on Exhibits 1 through 4 was scheduled for the January 18, 2011 regular City Council meeting. Council would then begin deliberations after which staff would prepare an ordinance adopting whatever changes Council directed. Regarding Exhibit 5, Mr. Larsen said the Planning Commission would be considering it during the 2011 season and would be starting a page by page review at its next meeting on Wednesday, January 12 and that the review could take several months. Mrs. Richardson reiterated that all the written documentation the Planning Commission received on these proposed amendments was available on the city website.

Mr. Adams stated that when Council moved the docket forward it had asked to break Exhibit 5 into two parts so it could consider the hearing examiner questions separately from the rest of the Title 19 language changes. Mr. Larsen said he would convey that message to the Planning Commission. Mr. McKeown asked Mr. Larsen to honor the prior request made by Council. Mr. Adams reiterated that was the direction Council gave when it moved the docket forward. Mr. Larsen said he would convey that message and Planning Commission would start that path over the next few months. Mrs. Richardson pointed out that the proposed Exhibit 5 language referring to "decision maker" would be consistent regardless if whether Council decides to have City Council, Planning Commission, a hearing examiner or someone else be the decision maker in each type of situation.

Energy Conservation Year-End Update

Mayor Maxwell introduced this presentation by noting that the city saved approximately \$50,000 in 2010 by conserving energy. Facilities Manager Russ Pittis presented a recap of energy savings in the past

year. He described the second phase lighting retrofit project which cost \$33,000, half of which was offset by a PSE grant, that will save \$3700-\$3800 per year in energy costs. This involved new lamps, motion sensors and daylight harvesting ballasts so lights are shut off or dimmed when light from windows is providing illumination. In addition, the city's three hybrid vehicles and one electric truck saved about \$3500 in fuel. He said the used oil from city vehicles is burned to heat the maintenance shop which saves about \$3700 per year. Mr. McKeown asked how emissions are controlled. Mayor Maxwell explained they use a waste oil furnace designed specifically for that purpose. Mr. Pittis said the Wastewater Treatment Plant has been using biodiesel since June 2007 which has been saving money, about \$14,500 in 2010 compared to 2009.

Looking forward, Mr. Pittis said Facility Conservation Action Plans have been prepared for the Senior Activity Center, Water Treatment Plant, City Hall, Maintenance Shop and Wastewater Treatment Plant. The Senior Activity Center plan was included in the Council packet as an example. As one example of potential savings Mr. Pittis pointed out that facility has two commercial hot water heaters. At the suggestion of Resource Conservation Manager Ric Boge, Mr. Pittis is working with Center staff to see if it is feasible to turn one of them off for at least part of the year.

Mr. Pittis displayed a pie graph depicting the energy costs saved in past two years by each city facility, noting that close to \$50,000 was saved overall. He then showed how last year's energy savings in Anacortes compared to neighboring jurisdictions. In absolute terms Anacortes was second out of nine jurisdictions second only behind Skagit County.

Turning to the City Hall Utility Study, Mr. Pittis reported that gas and electricity use was lower in 2010 than it has been in the last four years, partly due to the daylight harvesting ballasts and to turning the boiler off in the summer. He said at City Hall the heat is set at 68 degrees F and cooling is set at 73 degrees F. He added that educating staff has helped make everyone more efficient. He explained that his software lets him control heating systems at the library, City Hall and the police station from his desk so if a building will be closed for three or more days in a row Mr. Pittis puts its heating system in "vacant" mode to save energy.

Looking at the library, Mr. Pittis said in 2010 the library's total energy costs were the lowest ever, partly due to the lighting project and partly due to using fewer heat units (VAV boxes) to heat the library. They have also reduced the frequency of fresh air changes and rely on the CO₂ detectors to flush the system as necessary. Mr. Turner praised that huge energy savings and asked if it meets code. Mr. Pittis replied that the monitors ensure that it does. Mayor Maxwell pointed out that current CO₂ monitoring technology wasn't available when the library was built. Mrs. Richardson asked if the library meeting room has its own heat system. Mr. Pittis said it is on a manual thermostat that allows users to select a heat setting that lasts for three hours.

Looking at other locations, Mr. Pittis said electricity use is down at the WWTP due to the lighting retrofit and that the police station is saving energy by setting up separate heating zones for administration vs. patrol vs. records because only parts of the building operate 24/7. Mr. Pittis noted that in addition to saving energy and money, these efforts are reducing the city's CO₂ emissions as well.

Finally, Mr. Pittis displayed the total utility cost per SF for various buildings. Of the eleven buildings in the program, City Hall had the lowest cost in 2009 at \$0.90/SF. Mr. Pittis said the city will continue seeking more ways to save energy and money in 2011. Mr. Turner reported that Fidalgo Pool is buying a new boiler and asked if Mr. Pittis had any recommendations. Mr. Pittis said he would send information from the boiler change at City Hall in 2003 which cut gas use by almost 75%. Mr. Geer thanked Mr. Pittis for his admirable efforts over many years.

There being no further business, at approximately 9:10 p.m. Mayor Maxwell adjourned the regularly scheduled Anacortes City Council study session of January 10, 2011.