



## Planning Commission Meeting Minutes for December 8, 2010

Members Present: Commissioner Laurie Gere, Bertis Rasco, Larry Nelson, Lin Folsom, Marty Laumbattus and Clay Leming.

Staff Present: Libby Grage, Senior Planner, Don Measamer, Assistant Director of Planning and Ryan Larsen, Director of Community and Economic Development

The Chair, Ms. Laurie Gere called the meeting to order at approximately 7:30 p.m. The minutes of November 10, 2010 were approved as written.

### **Correspondence**

No correspondence

### **Old Business**

#### **Public Hearing: 2010 Comprehensive Plan & Development Regulations Update**

Mr. Ryan Larsen discussed the process for the public hearing. He suggested that the public hearing be open to take testimony regarding Exhibits 1-4 and then close the hearing so the Commissioners can discuss and deliberate those exhibits. Upon conclusion of those Exhibits, reopen the public hearing on Exhibits 5, 16, 17, 18 and new proposed 19. Then the hearing will be closed until January 2011. The Commission will have many study sessions on Exhibits 5, 16, 17, 18 and new proposed 19 to review each Exhibit page by page.

Mr. Don Measamer, Assistant Director of Planning, briefly discussed Exhibit 2. He explained that the Chamber of Commerce put together a sub committee comprised of local businesses, city staff and other interested parties to review the existing sign ordinance so the proposed changes are from those meetings. Such as, electronic signage, multi-tenant signs, temporary signage, changes in Section 17.40.030 which includes digital message signs, now includes TV, computer video screens, allowing messages to be set for every 20 seconds, time and temperature changes every 5 seconds. Allowable square footage, number of digital signs per business and digital signs with changing messages not permitted in the Central Business District. Section 17.40.080 addresses multi-tenant signs and Section 17.41.030 addresses real estate signs relative to how long the signs can be onsite. Mr. Measamer read an added Section 17.040.030(a) which states "In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed or beamed upon a public street, highway, sidewalk, adjacent premise or residences (*residences was added per Planning Commissioners request*) so as to cause glare or reflection that may constitute a traffic hazard or nuisance".

Mr. Measamer went on to explain Exhibit 3 pertaining to cargo containers. He read the ordinance "Cargo containers shall be prohibited in all residential zones, except that cargo containers for the purpose of moving shall be permitted for a period not to exceed 30 days in any twelve month

period". Some additional language requested by the Planning Commission was added to extend temporary cargo for construction sites. The proposed time period would allow the container to remain on site until completion of the construction project.

Mr. Ryan Larsen, Director of Planning, Community & Economical Development, addressed questions previously asked by the Commissioners regarding Exhibit 4, changes to the MS zone, so Mr. Larsen provided a map and a staff report to show the historical designations and what the impact would be on the existing homes that are listed on the register. With that, the Chair opened the hearing to take public testimony on Exhibits 1-4.

**Exhibit 1** – This change moves AMC Section 17.24.020C churches, libraries and public or municipal service facilities from permitted uses to AMC Section 17.24.040F for conditional uses. This change also adds nurseries, veterinary clinics, medical clinics, and hospitals as conditional uses.

**Exhibit 2** – The Anacortes Chamber of Commerce, along with city staff is proposing several changes to AMC 17.40 under sections 030, 060, 080 and 130. Changes would occur to digital signs, off-site real estate signs, signs in multi –storied building, and public signs.

**Exhibit 3** – Changes to AMC 17.48.010B, H and I for dealing with tent structures and cargo containers and to add a new definition for Cargo Containers and Tent Structures.

**Exhibit 4** – Add new language to address height issues, building standards, and change single family residential structures from non-conforming uses in the manufacturing and Shipping (MS) District. The proposed changes are designed to affect the area east of "T" Avenue and west of "U" Avenue extending north from Fourth Street to existing north boundary of the MS district between Second and Third Streets.

In answering a question from Commissioner Rasco, Ms. Dulcie Bowman, 305 "T" Avenue, explained that at one time there was farmland located off of "K" Avenue. She then went on to speak against the proposed Exhibit 4 to rezone the land from Manufacturing and Shipping to a Residential zone. Ms. Bowman feels that this change would have a large impact on the community financially. She urged the Commissioners to give great weight to staff comments "the proposed changes do have adverse impacts and limit the full potential use of the limited amount of property that is zoned manufacturing and shipping". In closing, she asks that the Commissioners deny all proposed amendments to the Manufacturing and Shipping zone.

Mr. Bob Hyde, Port of Anacortes, spoke on Exhibit 4 and reiterated Ms. Bowmans comments and added that the manufacturing and shipping zone is one of the only 8 deep water ports in Puget sound and very active. He feels the zoning change would change the whole dynamics of the east end of the marine terminal. Mr. Hyde also urged the Commissioners to deny this proposal. The Chair closed the public hearing on Exhibits 1-4.

After discussion the Commissioners, recommended to City Council to approve Exhibit 1 as submitted. This action was taken on a motion by Commissioner Nelson, seconded by Commissioner Laumbattus and passed unanimously.

The Commissioners recommended approval to City Council to approve Exhibit 2 regarding the sign ordinance with the following add amendment "In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed or beamed upon a public street, highway, sidewalk, adjacent premise or residences so as to cause glare or reflection that may constitute a traffic hazard or nuisance". This action was taken on a motion by Commissioner Folsom, seconded by Commissioner Leming and passed unanimously.

The Commissioners then recommended to City Council to approve Exhibit 3 (AMC 17.48.010 adding a B, H and I) regarding cargo containers and temporary structures with the following added amendment Section I "Cargo containers shall be prohibited in all residential zones except that temporary cargo containers for the purposes of moving shall be permitted for a period of not more than 30 days in any twelve month period and temporary cargo containers used for construction sites not to exceed the completion of the construction project". This action was taken on a motion as amended by Commissioner Nelson, seconded by Commissioner Folsom and passed unanimously.

The Commissioners recommended to City Council to deny Exhibit 4 (AMC 17.17 Manufacturing and Shipping Zone District) which added new language to address height limits, building standards, and change single family residential structures from non conforming uses to conforming uses. This action was taken on a motion by Commissioner Leming, seconded by Commissioner Nelson and passed unanimously.

Finally, Mr. Ryan Larsen, Director of Community and Economical Development introduced Exhibit 5. He explained that the proposed add a new Title 19 to create a new section on development code procedures, which would consolidate all of the land use processes in one chapter and to allow for a hearing examiner to review and approve certain land use applications. This Title will also cause changes to Titles 16, 17 and 18. With that, the chair opened the hearing to take public testimony.

A full record of the comments made by the following parties can be found on file at City Hall. Mr. Steve Clark, 1102 "G" Avenue, Mr. Hal Brooks, 1219 10<sup>th</sup> Street, Ms. Phyllis Dolph, 2320 26<sup>th</sup> Street, Mr. Rick Haley, 1804 Lea Place, Ms. Julie White, 3708 West 12<sup>th</sup> Street, Mr. Thomas Crowl, 1404 "K" Avenue, Mr. Ed Bradley, 1403 7<sup>th</sup> Street, Mr. Tom Glade, 210 Mansfield Court, Ms. Katherine Alexander, 4311 Jeanette Road, Mr. Tim Taylor, 301 5<sup>th</sup> Street, Ms. Marilyn Derig and Mr. Gene Derig of 1302 K Avenue, Mr. Brian Whetcher, 814 26<sup>th</sup> Street, Ms. Susan Park, 2010 10<sup>th</sup> Street, Andy Stewart, 2003 "M" Avenue, Ms. Cindy Morton, 1009 "C" Avenue, Mr. Lawrence Heiner, 804 "K" Avenue, Mr. Richard Storvik, 1510 9<sup>th</sup> Street, Ms. Virginia Heiner, 804 "K" Avenue, Ms. Sharene Elander, 1406 8<sup>th</sup> Street, Sylvia Wynn, 2402 11<sup>th</sup> street, Mr. Vernon Lauridsen, 2219 32<sup>nd</sup> Street, all spoke against the City implementing a hearing examiner to decide on land use applications. Also, they all urged the Commissioners to deny the proposed Title 19.

Ms. Anka Kolega, 2112 11<sup>th</sup> Street, spoke in support of all the comments previously made by above citizens. Mr. Berry Shaffer, 3601 West 8<sup>th</sup> Street, spoke against implementing a hearing examiner. He feels that this process will restrict public involvement. Lastly, Mr. Shaffer urged to deny Title 19 in its entirety. Mr. Bret Andrich, 2016 10<sup>th</sup> Street, feels that the current process works and that implementing a hearing examiner would limit public participation. Lynn Cofelt, 5502 Doon Way, feels that the current form of governmental process works and allowing public input is

improvement. Mr. Torolf Torgeson, 4910 Paisley Drive, spoke in support of the democratic process and urged the commissioners to deny turning to a hearing examiner. Ms. Sylvia Wynn, 2402 11<sup>th</sup> Street, spoke in opposition of the hearing examiner process. Mr. George Mehler, 1820 32<sup>nd</sup> Street, stated that he and his wife oppose the adoption of a hearing examiner. He feels that City Council, Planning Commission and the Board of Adjustment serve the public well. Lastly, Ms. Deloris Goller, 3214 Oakes Avenue, spoke against a hearing examiner and supports the current process, which includes public input. Although, she does support the minimum changes to bring the Municipal Codes into compliance with Washington State Law. The chair closed the public hearing.

The meeting was adjourned at 9:25 p.m.