



**Planning, Community, & Economic Development Department**  
Don Measamer, Director

## Memorandum

To: Anacortes City Council  
Date: June 9, 2021  
From: Don Measamer, Director, Community & Economic Development  
Libby Grage, Planning Manager  
Subject: Annual Comprehensive Plan and Development Regulation Amendments –  
2020/2021 Docket Request Summaries and PCED Recommendations

## INTRODUCTION

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Consistent with the Growth Management Act, the City of Anacortes is conducting its annual process to accept and consider suggested amendments to the Anacortes Comprehensive Plan and Development Regulations. As part of the 2020-2021 cycle, the City received 3 citizen-initiated petitions for amendments to the Comprehensive Plan. In addition, City staff are proposing 1 Comprehensive Plan amendment and multiple amendments to the development regulations within the Anacortes Municipal Code (AMC) Title 19, Unified Development Code.

[AMC Chapter 19.16 Legislative Actions](#) provides the procedures and criteria for determining which of the amendment petitions will be included in this year's docket and continue through environmental review, and Planning Commission and City Council Review. The Council's decision to include a proposed amendment in the docket is procedural and does not constitute a decision as to whether the amendment will ultimately be approved.

This memo provides summary of each proposal, analysis of the docketing criteria, and the Planning, Community and Economic Development Department's (PCED) recommendations for inclusion in the annual docket.

# DOCKETING CRITERIA

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[AMC 19.16.050.B](#) requires the PCED Department to make a recommendation to the City Council as to which of the petitions should be included in the year’s docket. PCED considers each of the following factors in making its recommendation:

- (a) The petition complies with the filing requirements;
- (b) 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;
- (c) 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;
- (d) Some legal or procedural flaw in the petition would prevent its legal implementation; or
- (e) 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.

## 2020/2021 CITIZEN PETITIONS AND PCED DEPARTMENT RECOMMENDATIONS

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The City received the following timely petitions and suggestions to amend the Comprehensive Plan policies, map, or development regulations. For each proposal, the Department has provided a summary of the proposal, analysis of the docketing criteria, and a recommendation. Petition titles contain a hyper link to the petitioner’s application. The full text of each petition is available on the [Comprehensive Plan Amendment webpage](#).

### P1. “Promoting Neighborhoods & Affordable Housing” – Evergreen Islands

#### Summary

The proposal seeks to add the following polices to Goal H-1 of the Housing Element of the Comprehensive Plan:

- (New) Policy H-1.x. Regulate Short Term Vacation Rentals (STVRs) to mitigate their adverse impacts on the availability of Affordable Housing.
- (New) Policy H-1.x. Regulate Short Term Vacation Rentals (STVRs) to mitigate their adverse impacts to Residential Neighborhoods such as additional traffic, noise, and their quality of life.

## **History**

This is a new petition that has not been docketed in the recent past.

## **Recommendation**

PCED recommends the Council include this petition in the docket.

## **Analysis**

The Anacortes Comprehensive Plan is currently silent on the topic of short-term vacation rentals. The Comprehensive Plan does contain general goals and policies supporting provision of a sufficient quantity and variety of housing to meet the community's needs, and preservation of the character of residential neighborhoods.

The addition of specific policies for short-term vacation rentals would be useful in clarifying and memorializing Council's intent and would help provide direction for the upcoming review and potential amendment to the City's short-term rental regulations, which is currently on PCED's work plan to complete in 2021/2022.

More information about current regulations governing short-term rentals is available in this [informational handout](#).

## P2. “Skillings Future Land Use Map Amendment” – Thomas Skillings

### Summary

The proposal seeks to change the [Comprehensive Plan Future Land Use Map](#) designation for portions of parcels P33059 and P33058 from Industrial to Residential Medium Density.



### History

This is a new petition that has not been docketed in the recent past.

### Recommendation

PCED recommends including this petition in the docket.

### Analysis

The applicants would like to adjust the boundary line between 3 properties under their ownership. The purpose of the BLA would be to create a more generous setback between the

existing home on P33062 (designated Residential Medium Density) and the adjacent properties to the west (designated Industrial and Residential Medium Density). The City's code prohibits approval of a BLA when it would result in a lot having more than one zoning or land use designation. Therefore, the owner is requesting a change to the land use designation for portions of P33059 and P33058 so that they are consistent with the designation of the residentially developed parcel to the east, and that, ultimately, the BLA can be accomplished.

If the FLUM amendment were approved, a subsequent rezone of the property from Industrial to R3 would be required to achieve consistency between the FLUM and zoning map. This would create additional land that could be developed with residential uses.

The applicant proposes leaving the remaining 31,486 sq. ft. portion of the property designated as Industrial.

### **P3. "Towards Zero Waste Policy" – Ryan Walters**

#### **Summary**

The proposal seeks to add a new goal and policies to the Utilities Element of the Comprehensive Plan:

- New Goal U-9. Toward Zero Waste. Increase recycling and composting to 65% of the municipal solid waste stream.
  - New Policy U-9.1. Provide weekly curbside food waste collection including small containers for residents that do not require yard waste bins.
  - New Policy U-9.2. Facilitate or require multi-family dwellings to offer food waste collection.
  - New Policy U-9.3. Perform a waste characterization study and analyze results to identify waste stream components that can be targeted for reduction through producer responsibility or consumer education.
  - New Policy U-9.4. Construct solid waste rate schedules to incentivize increased diversion or reduced frequency of pickup.
  - New Policy U-9.5. When it becomes feasible, reduce garbage collection frequency to reduce trips, personnel costs, and greenhouse gas emissions.

#### **History**

This is a new petition that has not been docketed in the recent past.

#### **Recommendation**

PCED recommends including this petition in the docket.

## Analysis

The City of Anacortes is included under Skagit County’s Solid Waste Management Plan, which sets a goal for recycling and composting of 65%. The petition states that the new goal and policies would help the City move toward that goal.

## 2020/2021 CITY INITIATED AMENDMENTS

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The following amendments are recommended by the PCED Department to be included in this year’s docket.

### C1. Comprehensive Plan Technical Updates

#### Summary

The proposal is to amend the “Other Plans” paragraph on Page I-12 of the Comprehensive Plan as follows:

## Other Plans

Each of the following plans is incorporated by reference into the Comprehensive Plan:

- [6-Year Capital Facilities Financing Plan 2015-2020](#)
- ~~Wastewater Comprehensive Plan 2015~~
- ~~2011 Water System Plan~~
- ~~2007 Stormwater Management Comprehensive Plan~~
- ~~Anacortes Parks & Recreation Comprehensive Plan 2009~~
- ~~Anacortes Community Forest Lands Comprehensive Plan 2009~~
- ~~Shoreline Master Program 2010~~
- ~~Fidalgo Bay Wide Plan (2000)~~
- ~~Anacortes Airport Subarea Plan (2005)~~

Other plans may be incorporated into the Comprehensive Plan after its adoption by the adopting document for the individual plan.

#### History

This is a new petition that has not been docketed in the recent past.

#### Analysis

The purpose of the proposed amendment is to improve clarity by removing the names of city plans that are not necessary to be a part of the Comprehensive Plan, correcting and updating



remaining plan titles, and removing specific dates so that updates to this section are not needed every time a referenced plan is updated in the future.

## C2. Title 19 Unified Development Code Clean-Up

### Summary

Over the past 5 years, the City's land use procedures and development regulations have undergone significant reorganization and updates. In use of the code over time, City staff, members of the public, and applicants have identified areas that would benefit from revision to improve consistency in application, enhance clarity, and better implement the Comprehensive Plan's goals and policies. They are as follows:

### AMC Ch. 19.20 Application Procedures

- **AMC 19.20.070 - Vesting** – Revise vesting language to clarify that approval of certain application types (that are not building permits or land divisions) does not provide vested rights for subsequent building permit applications.

### AMC Ch. 19.22 Concurrency

- **New section** - Re-insert language (omitted in 2019 update) regarding Director establishment of a concurrency facilities review program to monitor capacity on concurrency facilities and assess the cumulative impact of forecasts of approved development upon capacity and anticipated levels of service.
- **AMC 19.22.050 - Concurrency Test** – Add application requirements and review fee language.

### AMC Ch. 19.43 Residential Uses

- **AMC 19.43.020.B -Adult Family Home Definition** – update to reflect recent changes to [RCW 70.128.010](#), which allows provision of services to up to 8 adults upon approval by DSHS.

### AMC Title 19 Division 5 Community Design

- **AMC Ch. 19.52 – Public Street Design**
  - Generally – consider changing terminology for 'parking lane' to 'parking pocket', where appropriate, to better convey comprehensive plan policies for new street design that minimizes impervious surfaces. The new street parking philosophy is less linear (lane) and more sectional (pockets).
- **AMC 19.52.040.A.2 – Modified and Special Standards.** There are several areas in the city for which the Public Works Department has developed special design standards for a street or neighborhood; however, some of these have not been formally adopted by Council. These standards should be adopted formally by council and added to the Public Works Engineering Design Standards.

- **AMC Table 19.52.040.E – Lane Design Standards.** Add note about integration of guest parking to the Lane street standard, similar to the note in the Local Access standard (Table 19.52.040.A).
- **AMC Ch. 19.52.080 – Street Names and Signage.** Add provision allowing the Fire Marshal or PW Director to require installation of No-Parking signage or other curb/pavement markings when a development contains a street with insufficient pavement width to allow for simultaneous on-street parking and emergency vehicle access.
- **AMC 19.53.030.B Driveway location.**
  - Subsection B.2. “Lowest volume street” needs to be defined or consider changing to “Lowest order functional classification” or similar.
  - Subsection B.3. The conditions identified in (a) and (b) need further clarification to assist in application, including defining the ‘functional capacity’ for an alley.
  - In this section or elsewhere, provide better guidance for determining when development /redevelopment will require relocation to the alley of an existing driveway/access onto a city street.

### **AMC Ch. 19.66 Fences**

- Clarify when a fence permit is required.
- Identify parameters for what constitutes repair and maintenance of existing nonconforming fences.

### **AMC Ch. 19.67 Signs**

- Table 19.67.060, Projecting Sign maximum sign area - Update incorrect cross reference - The reference to 19.67.080(B)(1) should be 19.67.**090**(B)(1).
- Fix potentially conflicting provisions for commercial and noncommercial temporary signs located in the public right-of-way (AMC 19.67.110.C.2 and Table 19.67.110.F) and clarify placement standards.

## **NEXT STEPS**

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The setting of the 2021 Docket by the Council authorizes PCED to begin environmental review of these non-project actions through SEPA; analyze and draft the proposed amendments for public review and Planning Commission; and request review from the Department of Commerce.

The docketing public hearing is scheduled for **Monday, June 28, 2021 at 6:00 PM**. Applicants for the 2021 Docket will present their petitions at the Public Hearing.

See below for more information.



## HOW TO COMMENT

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**Written comments** must be submitted no later than June 30, 2021 at 5:00 PM. The public may submit written comments via email to [libbyb@cityofanacortes.org](mailto:libbyb@cityofanacortes.org) (preferred) or via US mail. All paper comments must be mailed to the address below:

City of Anacortes Planning Community & Economic Development  
Re: Comments for “2021 Docket of Comprehensive Plan and Development Regulation Amendments”  
P.O. Box 547  
Anacortes, WA 98221

**Verbal comments** may be made at the Public Hearing. Due to the COVID-19 pandemic, the public hearing will be held as a remote meeting. Virtual meeting access information can be found on the City Council agenda, posted Wednesday prior to the meeting here:

<https://www.anacorteswa.gov/700/Meeting-Documents-and-Video>