



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

## Memorandum

To: Anacortes Planning Commission  
Date: March 10, 2022  
From: Libby Grage, Planning Manager  
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Subject: 2021 Docket of Comprehensive Plan and Development Regulation Amendments  
Planning Commission Work Session – March 16, 2022

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## SUMMARY

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This memo provides information for the upcoming Planning Commission work session to review the 2021 Docket of Comprehensive Plan and Development Regulation Amendment Proposals.

## BACKGROUND

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The City of Anacortes is conducting its annual process to accept and consider suggested amendments to the Anacortes Comprehensive Plan and Development Regulations. The Growth Management Act requires that “each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation”.

[Anacortes Municipal Code \(AMC\) Chapter 19.16](#) provides the procedures for review of Legislative Actions, including comprehensive plan and development regulation amendments. Below is a summarized overview of the process.

Figure 1. City of Anacortes Annual Comprehensive Plan and Development Regulation amendment process



During the years 2020 and 2021, the city received 3 citizen-initiated petitions for amendments to the Comprehensive Plan. In addition, City staff have proposed 1 Comprehensive Plan amendment and multiple amendments to the development regulations within the Anacortes Municipal Code (AMC) Title 19, Unified Development Code. In July 2021, following a public comment period, petitioner presentations, a public hearing, and consideration of comments received, the City Council established the 2021 docket (Resolution 3042).

## 2021 DOCKET - AMENDMENTS OVERVIEW

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### Citizen Petitions

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 and analysis. 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 policies 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.

### **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](#).

### **Public Comments**

Seven written comments were received in support of docketing this proposal.

## 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.



### 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.

#### **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.

## **City Initiated Amendments**

The following amendments recommended by the PCED Department are 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.

#### **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.

### **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:

## **C2. 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.

## **C3. 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.

## **C4. 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.

## **C5. 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).

## **C6. 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.

## **C7. 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).

## **C8. 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.

## **C9. 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.

## **C10. AMC Ch. 19.66 Fences**

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

## **C11. 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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An additional Planning Commission work session to consider the docketed petitions will be held on March 23, 2022, if needed. Subsequently, staff will provide a staff report with PCED Department recommendations on specific amendment requests.

The proposal will be reviewed under the State Environmental Policy Act (SEPA) and State review through the WA State Department of Commerce.

Public Comment opportunity on the proposed amendments and a SEPA determination of environmental impacts are expected in April/May of 2022.