



Ordinance No. 4058

An Ordinance Amending the Critical Area Regulations Contained in Anacortes Municipal Code Subsection 19.70.040(B) regarding Exempt Activities.

Whereas, on July 18, 2016, the City Council adopted Ordinance 2982 adopting a new Comprehensive Plan pursuant to the City's periodic Growth Management Act Comprehensive Plan amendment and update process; and

Whereas, the Anacortes Comprehensive Plan provides guidance for amending the Anacortes Municipal Code (AMC) development regulations and official zoning map to implement its land use, housing, economic development, transportation, environment and conservation, and other goals and policies; and

Whereas, the City Council adopted Ordinance 3064 updating the Critical Areas Regulations July 26, 2021; and

Whereas, the City Council adopted Ordinance 4025 amending the updated Critical Areas Regulations on October 17, 2022; and

Whereas, the City Council desires to further amend one subsection of the Critical Area regulations as described in Section 2 below to address potential impacts to critical areas;

Whereas, the proposed amendment to the Critical Areas regulations are in the best interest of the City of Anacortes residents; and

Whereas, the proposed amendment to the Critical Area Regulations set forth herein has been processed, reviewed, considered, and adopted in material compliance with all applicable state and local procedural requirements, standards and requirements, standards, and criteria, including but not limited to the requirements of Chapter 36.70A RCW.

Whereas, a public comment opportunity was provided for the proposed change to Section 19.70.040(B) at the September 27, 2023 Planning Commission meeting; and

Whereas, the City Council considered the Planning Commission recommendation at a meeting on November 6, 2023; and

Now, therefore, the City Council of the City of Anacortes does ordain as follows:

Section 1. Findings. The above recitals are hereby adopted by reference as legislative findings in support of this ordinance.

Section 2. Development Regulation Amendments Adopted. The Anacortes Municipal Code at Section 19.70.040(B) is hereby amended to read as follows:

To be exempt from this chapter does not give permission to degrade a critical area or buffer or to ignore risk from natural hazards. All exempt activities must use reasonable methods to avoid potential impacts to critical areas and buffers. In every case, ~~harm~~ disturbance to the critical area's functions and values must be avoided if possible and minimized to the greatest extent possible. Disturbances must be minimized through best management practices and the use of low-impact equipment.


Section 3. **Transmittal to State.** Pursuant to RCW 36.70A.106, a copy of this ordinance shall be submitted to the State Department of Commerce.

Section 4. **Severability.** If any section, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

Section 5. **Effective Date.** Consistent with RCW 35A.12.130, this ordinance takes effect 5 days after publication.

Section 6. PASSED and APPROVED this 6th day of November, 2023.

CITY OF ANACORTES:



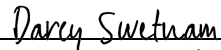
Matt Miller, Mayor

Attest:



Steven D. Hoglund, City Clerk-Treasurer

Approved as to Form:



Darcy Swetnam, City Attorney

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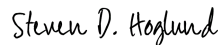
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Signer Events**Signature****Timestamp**

Steven D. Hoglund



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steveh@cityofanacortes.org

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City Clerk/Treasurer

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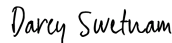
City of Anacortes

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Darcy Swetnam



Sent: 11/6/2023 11:15:24 PM

darcys@cityofanacortes.org

Viewed: 11/9/2023 8:29:26 AM

City Attorney

Signed: 11/9/2023 8:30:18 AM

Security Level: Email, Account Authentication
(None)Signature Adoption: Pre-selected Style
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Matt Miller



Sent: 11/9/2023 8:30:19 AM

mattm@cityofanacortes.org

Viewed: 11/9/2023 8:58:25 AM

Mayor

Signed: 11/9/2023 8:58:31 AM

City of Anacortes

Security Level: Email, Account Authentication
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