

**City of Gig Harbor Planning Commission
Minutes of Work-Study Session and Public Hearing
Thursday, February 19, 2004
Gig Harbor Civic Center**

PRESENT: Commissioners Carol Johnson, Bruce Gair, Dick Allen, Scott Wagner and Chairman Paul Kadzik. Staff present: John Vodopich, Steve Osguthorpe, Jennifer Sitts and Diane Gagnon.

CALL TO ORDER: 6:00 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of January 15, 2004 Johnson/Gair – unanimously approved.

NEW BUSINESS

WORK-STUDY SESSION

Proposed ordinance implementing recommendations of the Building Size Analysis project - Community Development Director John Vodopich briefed the Planning Commission members on the Building Size Analysis completed late last year. He stated that the City Council has directed staff to implement the recommendations outlined in the analysis and send a draft ordinance to the Planning Commission for their recommendations. Mr. Vodopich further stated that the City Council will hold a public hearing on this issue after the SEPA review has been completed. He then went over each zone and the recommendations for each.

Chairman Paul Kadzik noted that this was before the Planning Commission for comments only, no action was to be taken tonight.

Commissioner Allen expressed concern with the area-wide rezone of the Waterfront Commercial area to Waterfront Millville as this is one of the last remaining areas where fishing related activities are allowed and makes the existing businesses non-conforming.

John Vodopich clarified that the area-wide rezone would come before the Planning Commission before final action by the City Council.

Commissioner Allen voiced similar concerns and also noted that although there were plans for this area to be developed as residential, there are no guarantees that that will happen and then we will be left with non-conformities.

Commissioner Wagner stated that he agreed with Mr. Gair and Mr. Allen and in addition wanted to point out that limiting non-residential building size in R-1 and R-2 would be limiting the size of churches, schools and nursing homes to 3500 square feet which

seemed unreasonable. In addition, Mr. Wagner stated that in the RB-1 section he felt that the 5000 square feet per building limitation was unnecessary as design review requirements can achieve the same visual effect. Mr. Wagner further commented on the RB-2 section, stating that the limitations were good for smaller sites but not larger ones. He recommended using the design manual requirements to achieve the desired results and changing the 50,000 square foot limitation to a limitation on the first floor footprint and making the same change to the 65,000 square foot limitation in the B-2 section.

Commissioner Johnson commented that the proposed rezone of the Waterfront Commercial area would have a negative impact on the character of the area. She further voiced concerns with the traffic impacts associated with the 35,000 square foot limitation being raised to 65,000 square feet.

Commissioner Gair stated that he felt more time was needed to realize the impacts of the current growth without allowing more.

Community Development Director John Vodopich stated that he would forward the Planning Commissions comments to the City Council.

Proposed amendments to the Design Manual, pages 71 and 95 (ZONE 04-01) to redefine allowable siding materials – Planning Manager Steve Osguthorpe gave the Planning Commission a brief outline of the proposed changes to pages 71 and 95 of the Design Manual. Mr. Osguthorpe stated that these changes were being made in order to avoid ambiguity in the existing language.

Commissioner Wagner asked if these changes would allow an existing building with metal siding to repair and replace that siding as necessary without going to the Design Review Board. Mr. Wagner further commented on the number of existing buildings that are stucco and expressed that it seemed to be an issue of the method of application rather than the material itself.

Planning Manager Steve Osguthorpe stated that the applicability in the Historic District would be mostly commercial and that the Design Review Board had approved the use of stucco in certain instances. Mr. Osguthorpe further stated that the use of the words “superior and/or quality” were not specific enough for an applicant to know what the Design Review Board would want and that there was case law (Anderson vs. Issaquah) to support this.

Commissioner Allen stated that he did not have a concern with the use of stucco. He said he had seen lap siding deteriorate faster than stucco and he didn't see why the use of stucco needed to be prohibited. He further expressed concern with the use of corrugated metal and why it was being allowed on the waterfront and nowhere else when the waterfront is the worst place to use corrugated metal as the salt air causes corrosion.

Mr. Osguthorpe replied that the Design Review Board had allowed the galvanized metal siding on the waterfront because they felt it reflected historic waterfront architecture,

however, there was a concern with it's use in newer applications. He also commented that the current manual's language that requires the DRB's review of stucco ensures a more careful use of the product inasmuch as it is a preferred siding material by most developers for large-box buildings. He stated his concern that to allow it outright would make new development look very much like the big box development occurring in every other community. He further stated that the typical application of stucco on newer buildings (e.g., Good Guys) lacks the details that make it acceptable and attractive on Gig Harbor's older buildings (e.g., the Gilich Building).

The Planning Commission then asked if there was any member of the public who could provide information on the application of these materials.

David Boe, Boe Architects, Tacoma WA – Mr. Boe stated that he had been before the Design Review Board on several projects and that administrative approval is desirable because of time constraints. Mr. Boe suggested that wording be used in order to make administrative approval easier to obtain. He listed several types of applications which are plastic yet convey the look of wood or stone and stated that these materials are not superior and didn't feel that this is what the city wanted to encourage.

Wade Perrow, 9119 Harborview Drive, Gig Harbor – Mr. Perrow read from the purpose statement on page 2 of the Design Manual and stated that he too felt that it was too time consuming to go to the Design Review Board and encouraged the Planning Commission to look at what materials really are objectionable. Mr. Perrow distributed a picture of the city's pump station and stated that it would not be administratively approvable. He said that buildings should be built for the long term and wood siding is not always appropriate. He stated that he felt diversity was being compromised and that no material should be prohibited.

Planning Manager Steve Osguthorpe stated that he could make minor adjustments to the language to address some of the concerns expressed (e.g., incorporate smooth-faced concrete block into the list of allowable accent materials to allow the accent banding common to many split faced block buildings).

Discussion followed on the many applications, their various uses around the harbor and the need for diversity.

Mr. Osguthorpe announced that this item had been scheduled for a public hearing on March 4, 2004. Chairman Paul Kadzik and Commissioner Bruce Gair both stated that they would not be able to attend the March 4th meeting.

The Chairman closed the work-study session and opened the public hearing at 7:40.

PUBLIC HEARING

Proposed addition of GHMC Chapter 17.01 – General Regulations, Small Animals and Beekeeping (ZONE 03-13). – Associate Planner Jennifer Sitts outlined the proposed changes and stated that the proposed ordinance was the result of two previous work-study sessions before the Planning Commission. Ms Sitts stated that the ordinance

deals with bees, pets, domestic fowl and livestock. The ordinance is not retroactive and the existing uses would remain legal non-conformities. She further reminded the Planning Commission that dangerous animals and nuisance issues are not included in this ordinance as those issues are more appropriately placed in Title 6 and staff was recommending that the Planning Commission forward a recommendation to the City Council to amend Title 6.

Katie Dahlstrom, 17338 187th PI SE Renton WA 98058 – Ms. Dahlstrom stated that she is the daughter of Middy and David Ewert who first brought the issue of beekeeping before the City Council. Ms. Dahlstrom expressed that she did not feel that public safety was being considered. She stated that the bees from the neighbor's bee hives have swarmed her parent's house twice and she is afraid to let her children play outside at their house. She urged the Planning Commission to make this ordinance retroactive, to only allow the manipulation of the bees between sunset and sunrise, to please consider fines and to increase the acreage allowed for beekeeping to 2 acres.

David Ewert, 3614 44th St Ct NW, Gig Harbor WA 98332 – Mr. Ewert testified that he was allergic to bees and felt the beekeeping is unnecessary within the city limits of Gig Harbor. He then read from a letter from his neighbors dated January 14th stating that they had no hives for the past 2 years and then showed copies of pictures dated February 7th showing the hives. Mr. Ewert then showed the Planning Commission a copy of an obituary in the Peninsula Gateway dated August 13, 2003 of a 40 year old man who had died from honey bee stings. He further stated that he did not believe there was any sense in having bee hives on quarter acre lots.

Rolin Morford, 1009 38th St NW, Gig Harbor WA 98332 – Mr. Morford stated that at one time Gig Harbor was known for having chickens, ducks, etc. He further testified that bees don't usually swarm if not disturbed, if they are worked and re-queened it keeps hive from getting obnoxious. Mr. Morford said that lots of people have hives and neighbors don't even realize it and he felt that bees can be raised without problems.

Robert Sump, 5417 99th Ave NW Gig Harbor WA 98335 – Mr. Stump stated that he had been a beekeeper for over 25 years and was a member of the Washington State Beekeepers Association. Mr. Stump testified that honey bees are essential for pollination and that perhaps the Planning Commission should look at the regulations in place for Pierce County and Tacoma as they limit the number of bee hives per lot. He further stated that beekeepers should be good neighbor by keeping their fence high, providing water and re-queening. He then volunteered to work with staff on the formation of the ordinance.

Marilyn Owel, 6844 Mainsail Ln., Gig Harbor WA 98335 – Ms. Owel stated that she is in favor of an ordinance that would require state certification of beekeepers. She stated that she did not feel that this type of hobby was compatible with an urban environment as hives can become agitated by noises in the urban environment. Ms. Owel further stated that the Ewerts had had 3 swarms in one season and obviously their neighbors were not practicing responsible beekeeping, therefore, without a complete prohibition on beekeeping how can we regulate good beekeeping. She testified that she had read an article that even suggested that you not turn on your porch light at night if your neighbor

is keeping bees.

Middy Ewert, 3616 44th St Ct NW, Gig Harbor WA 98335 – Mrs. Ewert stated that her husband and daughter are both allergic to bees and that their neighbors have had 16 boxes right on the property line. She further testified that the bees have come down their chimney and delayed their Easter dinner, they have had to stay inside for 5 hours at a time when swarmed, and that the neighbors even tend to their own yard in protective beekeeping suits.

There being no further testimony Chairman Paul Kadzik closed the Public Hearing at 8:30 pm.

Chairman Kadzik asked staff what research had been done on what other jurisdictions were doing.

Associate Planner Jennifer Sitts replied that she had searched city and county codes and found that no one prohibited beekeeping but that many of them had standards for setbacks, size of lot, and proper maintenance (including re-queening, registration, and providing water).

Chairman Kadzik then asked why it was too difficult to make the changes retroactive.

Ms. Sitts answered that we need scientific evidence that kept bees are more dangerous than a natural bee.

Commissioner Gair voiced his support for recommending that the City Council change Title 6 to address the abatement of a nuisance.

Commissioner Wagner stated that he also supported the recommendation that the City Council review Title 6. Additionally he asked that staff review the 4 hives per acre ratio and perhaps research allowing a lesser number of hives on smaller lots.

Discussion followed on the sections that should be included in this ordinance and which issues were more appropriately addressed in Title 6. The Planning Commission members asked additional questions of Mr. Stump relative to his opinion of how big of a lot was necessary. Mr. Stump stated that beekeeping when done responsibly can be done on small city lots, and that he felt the one acre minimum provided peace of mind.

MOTION: Move to recommend approval of the ordinance changing the word R-1 to the term residential use and urge the City Council to update Title 6 addressing the retroactivity and nuisance abatement of beekeeping.

Johnson/Gair – Unanimous, motion carried.

NEXT REGULAR MEETING:

March 4th, 2004 at 7pm

Public Hearing

ADJOURN:

MOTION: Move to adjourn at 9:00 p.m.
Johnson/Allen – unanimously approved

CD recorder utilized:
Disc #1 Track 1
Disc #2 Track 1
Disc #3 Track 1