

**City of Gig Harbor Planning Commission and Design Review Board**  
**Minutes of Joint Work-Study Session**  
**March 15, 2007**  
**Gig Harbor Civic Center**

**PRESENT:** Commissioners Jim Pasin, Joyce Ninen, Dick Allen, Theresa Malich, Jill Guernsey, Harris Atkins and Jeane Derebey. Board members Rick Gagliano and Rosanne Sachson were present. Staff present: Tom Dolan, Jennifer Kester and Diane Gagnon. Kurt Latimore from the Latimore Company was also present.

**CALL TO ORDER:** 5:10 p.m.

**APPROVAL OF MINUTES:**

Rosanne Sachson asked that the minutes of February 15<sup>th</sup> have added to them that she had concurred with Chuck Carlson's e-mailed comments.

**MOTION:** Move to approve the minutes of February 15, 2007 with the addition. Derebey/Ninen – Motion passed unanimously.

Harris Atkins asked if when corrections to the minutes are made that a corrected copy get sent and/or e-mailed to the Planning Commission. Mr. Pasin suggested that perhaps a book of minutes could be made available at all the meetings.

**MOTION:** Move to approve the minutes of March 1, 2007 as written. Derebey/Ninen – Motion passed unanimously.

**NEW BUSINESS**

**1. Design Review Process Improvements – Batch 1b** – Discussion of the second batch of proposed amendments in Phase 1.

Senior Planner Jennifer Kester went through the amendment process and stated that the next meeting on April 5<sup>th</sup> will be a very concentrated work session. Harris Atkins recommended that the timeline be reviewed at each meeting to assure that we are on schedule. Rosanne Sachson asked if 5:00 was going to be for all the Planning Commission meetings from here on out and it was decided that they would discuss this further later in the meeting.

Mr. Atkins asked about the work program and Ms. Kester stated that the Planning and Building Committee had determined that the Design Review Process Improvements were a first priority and then underground garages and a couple of other text amendments. Mr. Dolan reminded them that there will be a joint meeting with the City Council on Monday March 19<sup>th</sup>.

Ms. Kester referred everyone to her memo regarding the Design Review Process Improvements Phase 1 Batch B. She first talked about the design review categories, then early DRB review and then timing of clearing.

She then went through the items in Batch C. She talked about prominent facades, zone transition updates, industrial building exemption criteria, the common area reference, DRB quorum and how each of these issues are handled currently. There was discussion as to whether Item 2 of Batch C should remain. Mr. Dolan gave an overview of why he had made an administrative interpretation regarding the issue of zone transition buffers. He stated that it needed to be clarified. Mr. Pasin said that he felt that it was a significant issue that needed further scrutiny. He used properties on Harborview as an example. Ms. Kester pointed out that a 40' buffer could not be used in the height restriction area. Mr. Pasin expressed further concern with existing development being asked to comply with this. Ms. Derebey stated that she did not necessarily agree with Mr. Pasin as some existing development either sells their property or redevelops it themselves and they should comply. Mr. Atkins pointed out that they are just being asked at this point when they want to discuss this issue. Ms. Derebey expressed that she felt that smaller issues should be addressed in phase one and then the larger issue later.

Rick Gagliano arrived at 5:30

It was agreed that Item 2a of Batch C should remain on the list. She then described what was being proposed with Item 2b of Batch C dealing with average building footprint and building height. Ms. Ninen asked about 17.99.180(A) and where that was located. Ms. Kester changed the reference to say 17.99.190(A). Ms. Kester noted that the intent was for both sections to read the same as the building footprint section and everyone agreed. Mr. Pasin disagreed and worried that perhaps they were creating non-conformities and stated that he disagreed with zone transition on the whole. It was pointed out by staff that these process issues would be dealt with first and then the larger discussion would be held later. Ms. Malich said that they were relying on staff to know if this code change was going to make something non-conforming or cause some other problem. Ms. Kester also noted that there are zone transition goals in the Comprehensive Plan so the larger discussion would happen in Phase 2. It was agreed that Item 2b Batch C would remain.

Dick Allen arrived at 5:50.

She next discussed the IBE Exemption item and went over an administrative interpretation on when an industrial building is eligible for the exemption and that staff was proposing to codify that interpretation. Mr. Pasin asked about why they can't change the 800 foot requirement. Ms. Kester explained that this first portion is to change the process and then change the requirements themselves later. Rick Gagliano reminded Mr. Pasin that at this stage we are not changing the numbers. Mr. Pasin stated that he didn't see why changes couldn't be made now. Ms. Kester said that changing the number would require more analysis.

She then went over the common area reference and stated that the reference was there as the City Attorney had a concern with them being in the Design Manual. Mr. Pasin suggested that the standards just be removed. Ms. Kester said that she would discuss with the City Attorney where these standards could be placed.

Jill Guernsey arrived at 6:00 pm.

The DRB Quorum was discussed next. Ms. Kester explained that CLG members of the DRB are not required for project review meetings of the DRB. She explained that a quorum consists of a majority of all the members and then if the CLG members do not show up there are quorum problems. The suggested change was to change the requirements for a quorum to the core 5 project review members. Ms. Derebey said that the CLG members should not be able to opt out. Ms. Sachson pointed out that the whole board is a CLG board. Mr. Dolan said that sometimes CLG members are not up to speed on architectural issues. Mr. Pasin said that he felt that it was important for the two historic preservation people be able to opt out in order to be able to recruit members. Mr. Pasin suggested that there be one quorum for CLG and one for projects. Ms. Sachson suggested that perhaps the DRB should not be the CLG board. It was agreed that there be a quorum of four for CLG issues and three for design review project meetings.

Mr. Latimore discussed the process at the City of Redmond. Ms. Kester then talked about how there will need to be a discussion of thresholds. Mr. Gagliano said that if there is a model out there that another city is using it would be great to examine. Ms. Kester then went over the typical review process for commercial structures and the submittal requirements at each phase. Mr. Gagliano stated that there are lots of sets of details for engineering as well as design. Ms. Kester noted that there is a statement in the code that says the DRB cannot review something that is not compliant with all other city codes. She explained how that impacts development review. Discussion followed on the need for earlier review so that there can be some feedback from the board early on.

Ms. Kester spoke about a possible early design guidance meeting with the DRB where they have a more conceptual discussion. Mr. Gagliano said he would like to encourage that early guidance meeting and that some kind of allowance will have to be made to encourage the early guidance meeting. He suggested that at an administrative level perhaps the applicant can get administrative approval if they deviate from the standards in only a small way.

Discussion was held on the City of Seattle standards and the thresholds for going to the Design Review Board there. Ms. Kester highlighted that in their process the director makes the decision and that perhaps it was better to have the hearing examiner process in Gig Harbor in order to encourage public participation. Mr. Atkins stated that Issaquah has an interesting process as well.

Ms. Kester discussed the issues surrounding the timelines associated with project review. Ms. Derebey suggested that the same type of format be used to compare the different processes from other cities. Mr. Atkins also mentioned that they should look at their resources as well.

Chairman Theresa Malich called a ten minute recess at 6:50 p.m. The meeting was reconvened at 7:05 p.m.

## **PUBLIC HEARING**

### **1. Design Review Process Improvements – Batch 1a**

Chairman Malich opened the public hearing at 7:05 and there being no public present she closed the public hearing at 7:06.

Discussion was then held on the three draft ordinances.

Landscaping Text Amendment (ZONE 07-0016)

Ms. Ninen noted that there was similar language in on page 4 section about encroaching into drip lines as in the section on area of construction. It was suggested that the language about area of construction be moved. Everyone agreed that it made sense since it was redundant. Ms. Ninen noted that perhaps the title should be changed to Preservation of Native Vegetation and Significant Trees.

**MOTION:** Move to recommend adoption of the landscaping ordinance, Atkins/Guernsey -

Ms. Kester pointed out where she had re-written some language to make it clearer. She noted that it did not change the requirement.

Mr. Gagliano asked about the bottom of page 5 and asked where that language had been moved to. Ms. Kester pointed it out on page 10.

Ms. Kester then showed where the changes had been made regarding the enhancement corridor and the TPU right of way.

Mr. Gagliano asked about page 19 and Ms. Kester noted that it references a section of the design manual that is being repealed and further discussion of clustering will be held later in the process.

Discussion then followed on the need for landscaping standards for single family development.

**MOTION:** Move to amend the motion to correct typos and incorporate 17.99.240(e) into 17.78.050 adding native vegetation to the title. Nine/Guernsey - Motion passed with Jim Pasin opposed.

**AMENDED MOTION** – Move to recommend adoption of the landscaping ordinance as amended. Atkins/Guernsey - Motion passed with Jim Pasin opposed.

Setback Text Amendment (ZONE 07-0017)

Ms. Kester noted the whereas statements and the amendments made as a result of previous discussion.

Mr. Pasin stated that some of these standards have been in the design manual and his concern with putting it in the code. Ms. Kester pointed out in the code where it says that it applies to existing and proposed development and that the setbacks are already referenced in the design

manual. Mr. Gagliano clarified that there are a lot of situations where homes are non-conforming now, this will not change that. Mr. Gagliano pointed out that the non-conforming chapter states that if a non-conforming structure was lawfully constructed then you don't have to change it; however, if they were to change it it would have to comply with the current code. Mr. Pasin said that he felt that the standard was ridiculous and that the design manual should not be applied to existing development. Mr. Gagliano noted that the public might have similar concerns with these substantive issues. Mr. Dolan noted that they had gone to the Planning and Building Committee and to the City Council and gotten approval on this process of doing these changes first and then substantive issues later. He acknowledged that there are many excellent points being made as to whether these regulations that were being relocated were even good regulations. Ms. Kester added single family setback standards to the list of possible changes.

**MOTION:** Move to recommend adoption of the proposed ordinance on setbacks.  
Atkins/Ninen -

Ms. Ninen noted that on page one there was a word missing in the first whereas second line and that on page 4 number 9 she asked if it should include a reference to 17.99.240. Ms. Kester suggested only referencing 17.99 and everyone agreed. Ms. Ninen noted that on page 6 line 5 it references 17.78.250 which has been repealed. Ms. Guernsey suggested that the reference be to just 17.78 rather than the section. Ms. Ninen also noted that the verbiage had been changed on page 7. Ms. Kester explained that the code does not use the words associated uses but rather accessory uses. Mr. Atkins accepted the corrections as a friendly amendment to his motion.

**AMENDED MOTION:** Move to recommend adoption of the proposed ordinance on setbacks with corrections. Atkins/Ninen – Motion passed with Jim Pasin opposed.

#### Noticing Text Amendment (ZONE 07-0018)

**MOTION:** Move to recommend adoption of the draft ordinance on noticing.  
Atkins/Pasin -

Mr. Atkins noted that on page 3 under item 5b it doesn't include noticing of parties of record. It was decided to add the phrase "and to others who have submitted comments and/or have requested notice".

Ms. Ninen asked why Item F is struck and Ms. Kester agreed that it should remain as Item H.

**MOTION:** Move to amend the motion to add the phrase "and to others who have submitted comments and/or have requested notice" and include Item F as Item H.  
Guernsey/Pasin – Motion passed unanimously.

**AMENDED MOTION:** Move to recommend adoption of the proposed ordinance on noticing as amended. Atkins/Pasin – Motion passed unanimously.

#### OTHER BUSINESS

Mr. Dolan stated that the underground garage ordinance was on the agenda but given the late hour and that staff wasn't able to put anything together he recommended that it be tabled to another meeting. He then read the motion that the council had made regarding the underground garages as there had been some question as to what their intent had been. He noted that the City Council wanted the Planning Commission to consider amending the standards but was not directing them to do anything, only that it be reviewed. He stated that when this does come back there will be much discussion and we will have architects Dave Freeman and David Boe each give about a 30 minute presentation on their perspective on this issue.

He then asked about communication and how the commission would prefer to get documents when we have such a close timeframe. It was decided that everything would be e-mailed ahead of the meeting and then have copies available at the meeting.

Mr. Dolan then asked what the Planning Commission preference was for a starting time given their large workload. It was decided that the starting time for the duration of the Design Review Process Improvement Initiative would be 5:30 and that staff would send out an e-mail reminding everyone of this new starting time.

## **ADJOURNMENT**

**MOTION:** Move to adjourn at 8:25 pm – Malich/Guernsey – Motion passed.

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