

**Work Study Session
Gig Harbor Planning Commission
May 6, 2010
Community Rooms A & B
4:00 pm**

PRESENT:

Commission members: Bill Coughlin, Joyce Ninen, Jim Pasin, Michael Fisher, and Harris Atkins. Jill Guernsey was absent
Staff Present: Pete Katich, Diane Gagnon, Tom Dolan and Kim Van Zwalenburg from the Department of Ecology.

APPROVAL OF MINUTES

MOTION: Move to approve the minutes of April 22, 2010. Atkins/Fisher – Motion carried.

Chair Joyce Ninen thanked Mr. Katich for forwarding the information on commercial development from Coupeville, Port Townsend and Bellingham. She stated that after receiving this information she had some comments on some pages that had already been reviewed. Ms. Ninen suggested that the heading on 7.6 should say commercial development instead of commercial. Mr. Pasin said that it says commercial uses in the first paragraph so he would rather use that term. Ms. Ninen said that was fine and noted that the matrix says commercial development. **Everyone agreed that it should say commercial uses in this section and in the matrix.**

Ms. Ninen had some comments on the first paragraph in commercial. She wondered if it should say it's subject to applicable zoning and design standards. She noted that it is included in other cities master programs. Mr. Katich pointed out that in section 1.5 where it addresses the relationship of this master program and other regulations. Ms. Ninen felt that it would still be helpful to add it to this section. Mr. Coughlin wondered if it should also reference historic district standards but no one felt that was necessary. Consensus was reached. Mr. Pasin asked about the second sentence in the goal. Non water oriented commercial uses in upland locations only when combined with public access and restoration. Mr. Katich noted that they had put this issue in the holding pen as they think perhaps the environmental designation may need to be changed and will have to look at this section as well.

7.6.1.D Low Impact Development – Mr. Katich gave an overview of low impact development and its relationship to the shoreline master program. Ms. Ninen suggested that there be a such as statement or some type of definition. Mr. Coughlin said he would want to know what that meant if he was reading this document as a property owner. Mr. Atkins noted that this is a policy statement and Ms. Ninen suggested that there could be a reference listed. Mr. Katich explained that the only

place that there are incentives is in the new storm water manual. **Everyone agreed that a definition would be adequate.**

Mr. Pasin asked about item c and what did it mean when we talked about views. Mr. Katich said that the regulations provide for views from the uplands to the water.

Returned to page 7-28, #2. Mr. Katich said that the target this week was to get through recreation which ends on page 7-47.

Mr. Atkins suggested that #2, right after “provide public access” **refer to the requirements for public access 6.4.2 section (regulations-public access)** where there is detail and **to remove “public access and” in item 2b and 3b entirely. Leave the wording “and restore ecological functions”.** **Everyone agreed.**

Mr. Fisher said that in 3a there is a reference that he wasn't sure what it meant. Mr. Katich said that it is about a need to change the restoration plan and the mitigation requirements. He stated that he and the consultant had discussed this and will be presenting an approach to the commission in the next few weeks and it should reference the critical area regulations and the restoration plan so they should have a placeholder here to change that language.

Mr. Fisher then asked in 2a where it states 80%, where did we get that and will the vegetation conservation be defined and Mr. Katich pointed out where it is defined on 6-20. He said that he will be providing draft regulations on buffers and setbacks in September. Mr. Pasin asked what the premise was for restoring vegetation that may have disappeared many years ago. Mr. Katich said that this whole effort is to reestablish and enhance the ecological functions of the shoreline. He further explained the benefits of vegetation on the shoreline that has been eradicated over the years.

Mr. Fisher expressed concern for redevelopment and non water oriented uses. He stated that he felt that this requirement could preclude development in several locations. Mr. Coughlin pointed out that it doesn't preclude development just limits it. Mr. Fisher stated that this would be an undue hardship without any gain and doing this on a 50' wide lot when each lot is developed on either side. Mr. Katich stated that if you had a building on the upland and a bulkhead and the building loses its nonconformity and then had to redevelop that would not affect the bulkhead, it's a separate structure. You would have to replicate the buffer but the bulkhead could remain. Mr. Dolan said that this doesn't say how big the buffer has to be and perhaps that is what should be decided and then figure out what the percentage should be; otherwise we don't know 80% of what. Mr. Katich noted that it is a requirement of the guidelines. Mr. Katich noted that there is an interplay between 17.68 Nonconforming section of the zoning code and perhaps the City Attorney needs to look at it. Does the 50% threshold conflict with the zoning code because the shoreline code takes precedent. Mr. Pasin said that this could also apply to the piece of property the city just bought and Mr. Dolan noted that this is only for non water dependent uses. Mr. Atkins said that there are two issues; first how you determine the method used to restore and he didn't see the need to

differentiate between mixed use and non mixed use. Mr. Katich said that traditionally a mixed use development often includes non water oriented use elements and that we do have some mixed use in the harbor now and there is a probability for someone to purchase several parcels and develop something larger.

Mr. Dolan also noted that there are footprint limitations in the waterfront zones. Mr. Fisher said that his point was that this policy could be really damaging to certain properties. **Suggested that in place of 80% they put TBD and discuss the amount at a later date. Everyone agreed**

Number 4. Mr. Katich noted that he had just put the 20' setback in this section and DOE has identified that this will not be adequate in all cases and he and the consultant are working on this.

Page 7-29. Commercial Fishing. Ms. Ninen noted that they had talked about putting in the statement from the existing SMP on page 19 into this section where it talks about the importance of commercial fishing in the harbor. Ms. Ninen read the statement for the record. Mr. Pasin felt that perhaps that was too long. Ms. Ninen said that it would be in place of the language that is already there. Ms. Ninen suggested that the reference to the document from 1992 could be removed. Mr. Pasin asked what if 50 fishing vessels wanted to come into the harbor. Are we encouraging this and Mr. Coughlin said that the vision statement talks about retention. Ms. Ninen said that 7.7 could be worked into the language from the old SMP. **It was decided that there would be two paragraphs with a goal statement and then a paragraph of the history and delete the vision reference. Mr. Dolan asked the Ms. Ninen type out the paragraphs and send it to staff and she agreed.**

7.7.1 Policies

Mr. Atkins noted that there may be several amendments necessary to the zoning code in order to actually achieve these things in #A & B.

Mr. Frisbie (a member of the audience) noted that there are several instances where families are retaining their marinas (tidelands) and selling the uplands creating all kinds of issues. Mr. Katich said that this is an economic issue.

Mr. Fisher asked if something needed to be added on page 7-29, Section 7.7.2, number 2. Mr. Katich said that this is just clarifying that you should be able to sell products dockside.

Page 7-30. Section 7.8 Dredging. Ms. Ninen noted that there had been an earlier discussion to add dredging at the mouth of Gig Harbor Bay if it's necessary. Mr. Fisher said there is already a reference to dredging to navigational channels. Ms. Ninen said perhaps there should be a such as statement. Mr. Dolan noted that the sentence at the beginning is awkward and needs to be reworded. Ms. Ninen noted that they all start

with the word “to” because it is a goal. **It was agreed to add “such as the entrance to Gig Harbor Bay” at the end of paragraph A after the word “channels”.**

7.8.1

Mr. Atkins asked if the references here in A through E were the most recent and Ms. VanZwalenburg said she would verify.

Page 7-31

7-8-2 Agreed to remove g.

Page 7-32

Mr. Fisher asked if number 6 should be moved to 1 since it talks about prohibited things. It was agreed to move it to number one.

Page 7-33

Section 7.8.3,1: Mr. Fisher said that he didn't quite understand what the first statement was trying to say. Mr. Katich suggested perhaps **deleting everything after the word “program”.** **Everyone agreed.**

Number 4 it was agreed to add after the word “allowed” “in approved locations”.

Page 7-34 7.9 Educational Facilities

Ms. Ninen noted the DOE had made a comment about this section. Mr. Pasin asked if the goal statement really was talking about the title and noted that you really didn't need a facility to have education. Mr. Atkins said that perhaps we should change the title in 7.9.1A. Mr. Katich read the definition of maritime facility. Everyone agreed it was fine as is.

7.9.2

Mr. Atkins pointed out that it conflicted with the zoning code. Mr. Katich noted that the placeholder referenced this issue. Mr. Atkins noted that why wouldn't you want to and Ms. VanZwalenburg asked why you would want to have a museum in the natural environment.

Page 7-35 7.10 Fill

Ms. Ninen noted that there were comments from DOE stating that the title should be Fill and Excavation. Everyone agreed. Mr. Pasin noted that “in” should be changed to “along” in the goal statement, everyone agreed.

Mr. Katich explained the application process for fill and excavation. Mr. Pasin asked about what area this would apply to and Mr. Katich said that this would apply to areas within 200' of the shoreline. Mr. Atkins noted where this regulation was located in the current shoreline master program.

Mr. Fisher asked that B. Shoreline Stabilization go in the holding pen as it related to other issues in the holding pen.

Ms. Ninen noted that on page 78 of the guidelines it lists times when fill could be allowed and it seems to be longer than what is referenced here. Mr. Katich said that ours is more restrictive and as a commission you can decide to be more restrictive. Mr. Katich noted that the current master program does allow more. **Everyone agreed that it should be more restrictive unless they received information from the public otherwise.**

Mr. Pasin asked about how you know when something is restoration and Mr. Katich explained that the restoration plan will outline restoration opportunities. Mr. Katich further explained how fill may be necessary to restore the shoreline.

Page 7-36 7.10.2. Regulations.

Mr. Fisher suggested that item 3 be put in the holding pen as it related to shore stabilization. Everyone agreed.

Page 7-37 Historic Net Sheds 7.11

Mr. Pasin asked about Item B where it says "only when a water-dependent use is no longer economically viable", how is that determined. Mr. Katich said that the property owner would have to demonstrate that they have tried to sell the property or redevelop it. Mr. Katich said that he thought they would hear a lot about this subject at the public hearing.

Mr. Dolan asked Ms. VanZwalenburg if she had a concern as she had voiced a concern previously. Mr. Katich explained that this proposal does conflict with state regulations and further expressed the desire to encourage preservation and adaptive reuse of the net sheds. Mr. Atkins said that he felt it should be written in a more positive way in order to preserve these net sheds. Ms. VanZwalenburg said that the commercial fisherman felt that they would be driven out of the net sheds they are in. She emphasized that there is a possibility that the state will not allow it. Mr. Katich said that some of these provisions help achieve the history of the structure.

Decided to add the code reference GHMC 17.97.040 for the registry of historic places in Section 7.11.2.1B.

Also change Section 7.11.2.1 to a positive statement; "non water oriented uses are allowed in net shed when the following criteria is met".

In 7.11.2.1 ,the last statement beginning “in the case” should be item c).

Ms. Ninen noted a comment from DOE said that there should be a Shoreline CUP. Mr. Katich agreed. Ms. Ninen suggested adding item d) requiring a CUP for any non water dependent activity. Mr. Atkins said how about it be any non water related activity. Kim suggested it say non water oriented. Ms. Ninen said so number one changes to non-water oriented. Mr. Katich said that then the conditional use permit should also apply to all non water oriented. **He suggested striking the last sentence of item C and then have D say all non water oriented uses shall require a shoreline conditional use permit. It was decided that it should be number 4 rather than D.**

Mr. Katich said that Lita Dawn Stanton could come to the next meeting and explain some of the requirements for putting a net shed on the historic registry. No one felt it was really necessary.

Mr. Pasin expressed that he believed the state would want Gig Harbor to retain these net sheds so he hoped there was support to make that happen. Ms. VanZwalenburg said that the state just didn't want to see the net shed become a big house or something.

Page 7-39 Industrial Development

Mr. Pasin asked about the placeholder and that the stakeholder committee was wanting industrial development in the Historic Waterfront Environment. Mr. Katich noted that on page 25 of the current shoreline master program and that it is prohibited. He noted where the definition of industrial development and that it is water related and water oriented.

Mr. Frisbie (from the audience) interjected that there is not really enough property for industrial uses.

Mr. Fisher said that he thought that it should be prohibited. Mr. Atkins said that the title should be changed. Mr. Atkins went over the allowed uses in the zoning code. Mr. Dolan said that if they wanted to leave it as it is we would need to rewrite this section. Mr. Katich said that then Eddon Boat would be non-conforming unless you called it an educational facility. **It was decided to rewrite 7.12 to reflect the existing shoreline master program for industrial development. Mr. Pasin said that he would like to see it again after its rewritten and Mr. Dolan said that they would send it out via e-mail.**

Page 7-41 Chapter 7.13 In stream structures

Mr. Pasin said he wanted to be sure that the enhancement included hatcheries and Ms. Ninen read from the matrix. **It was agreed to add the word “fishery” to Section 7.13.2. item number 1 and to the Modification Matrix.**

Page 6 of 14

Page 7-42 and Chapter 7.14 Pedestrian Beach Access Structures

Ms. Ninen pointed out the placeholder from the stakeholder committee. She then read from the matrix where these structures were allowed. Mr. Atkins felt that 7.14.1.c was unnecessarily wordy. **He suggested “Beach access structures should not be permitted until effects on marine shoreline functions and processes, including any significant adverse effects on adjoining lands and properties, are fully evaluated and a mitigation plan submitted”. Consensus was reached.**

Mr. Fisher asked what does the expected risks to human health and safety mean. Mr. Katich said perhaps dangerous bluffs or something similar. **It was decided to change expected to potential in the last sentence.**

Page 7-43 Chapter 7.14.2 Regulations

Ecology had commented that there should be a regulation to implement policy B. Ms. Ninen suggested they add joint use and community use structures are preferred to the end of number 1. **Mr. Katich suggested that he would look at the other communities and provide some regulation language.**

Mr. Pasin asked about 2.b. and Mr. Dolan suggested that it say, the structure shall follow the existing topography to maximum extent possible and everyone agreed.

Mr. Fisher said that in number 3 he had a problem with 500'. **Mr. Katich suggested that he do a review of the other communities and come back with language for this whole section.**

Page 7-45 Recreation Chapter 7.15

It was decided that everyone should review this Chapter at home.

Mr. Katich passed out the information he had compiled in response to the requests from the last meeting regarding sewage pump outs.

Mr. Fisher had to leave at 7:30.

MOTION: Move to adjourn at 7:32 p.m. Atkins/Pasin – Motion carried.

3/18/10 Meeting Outcomes:

1. Revise matrix/associated regulations in Chapter 7 of draft SMP to allow dredging as a “permitted” use in low intensity and natural environment designations at the mouth of Gig Harbor Bay to maintain the navigational channel.

2. Per Commissioner Guernsey's request, boat launch ramp use category set forth in Modification and Use Matrix, Chapter 7, added to the "holding pen."
3. Remove "prohibited" modifications and uses from Chapter 7, subsection 7.2.1 that are not applicable to city of Gig Harbor shoreline planning area. Only address those modifications and uses that exist or could exist.
4. Revise regulation #1, Chapter 7, subsection 7.3.2 to reflect two separate regulations; note that the current, proposed prohibition on commercial shellfish aquaculture in all shoreline environments could change based on further review of the issue.
5. Revise regulation #5, Chapter 7, subsection 7.3.2 to indicate that it doesn't apply to spawned-out salmon carcasses.
6. Revise policy J, Chapter 7, subsection 7.4.1 to address "piers and docks" and revise the last sentence of the policy to state, "minimize adverse effects on "ecological functions" rather than nearshore resources.

Additional 3/18/10 Meeting Outcomes-per Approval of Minutes @ 4/1/10 Meeting:

1. Revise Section 7.1 Permitted Use Table "introductory paragraph" by deleting the second and fourth sentences.
2. Revise Subsection 7.4.1, Policy D (water-dependent uses) to state: "Locate, design, and operate boating facilities so that **new development is located in a manner compatible with other lawfully existing** water-dependent uses, such as commercial fishing operations, boatyards, and other publicly accessible over-water facilities, are not adversely impacted."
3. Revise the "heading" for Subsection 7.4.1, Policy H, to state: "Preferred types of moorage and **boat launch ramps.**"

Summary of 4/1/10 Meeting Outcomes:**

1. Revise Subsection 7.4.1, Policy K (replacement of piling) to state: "**Replace existing piling with non-toxic materials, including but not limited to steel, concrete and non-toxic wood. The replacement of piling that support historic structures listed on the city's Register of Historic Places should be exempt from this provision. New piling should be made of non-toxic material approved by applicable state agencies.**" (Note: The policy is titled "replacement of pilings." Should the heading be revised to "New and replacement of pilings?")
2. Revise Subsection 7.4.1, Policy L (Moorage design elements) to state: "Encourage design elements that increase light penetration to the water below an existing or new boating facility, such as increasing the structure's height **above the water**; modifying orientation and size; **and using** grating as a surface material. No new covered moorage facilities should be allowed on or over the surface waters within the city of Gig Harbor **or its UGA.**"
3. Discussion on Subsection 7.4.2 (Policies for marinas) and 7.4.3 (Policies for commercial fishing moorage) tabled until meeting of 4/15/10 to allow for completion of marina survey.

4. Revise Subsection 7.4.4.1.a & b (Regulations-General) to state:
 - a. **Critical saltwater habitats**
 - b. **Marshes, estuaries and other wetlands**
 And delete original b & c (both are included in definition for critical saltwater habitats.)
5. Revise Subsection 7.4.5.1.a (Regulations-Mooring Buoys) to state:
 - a). Avoid **critical saltwater** habitat areas; and,
6. Revise Subsection 7.4.5.4 into two regulations 4 & 5 that state:
 - 4. Single-family residences may be allowed no more than one mooring buoy per residential lot and only where existing piers, docks, floats or other moorage facilities do not exist.**
 - 5. Mooring buoys shall be clearly marked and labeled with the owner's name, contact information and permit number(s).**
7. Revise Subsection 7.4.7 (Regulations-Piers, Docks and Floats-Non-Residential), existing regulation #1 to state: **Piers, docks** and floats associated with commercial, industrial, or public recreational developments **are allowed only** when ecological impacts are mitigated in accordance with the program, and:
8. Revise Subsection 7.4.7 to make existing regulation #1 the new #2.
9. Revise and re-order Subsection 7.4.7 by moving existing regulation #6 to #1.
10. Revise language in Subsections 7.4.7.4) & 7.4.8.3) (Regulations-Piers, Docks, and Floats Non-Residential and Residential) to be consistent with each other.
11. Separate the last sentence in existing subsection 7.4.7.4 to create a new regulation #5 that states: **To minimize adverse effects on nearshore habitats and species caused by overwater structures that reduce ambient light levels, the following shall apply: (list a-c)** and renumber existing #5 to be the new #6.
12. Revise Subsection 7.4.8 (Regulations-Piers, Docks, Floats, and Lifts-Accessory to Residential Use) by deleting existing regulation #1).c).
13. Revise Subsection 7.4.8, Regulation #6 to state: "**Covered moorages are prohibited.**" Move and reorder existing regulation #6 to become regulation #1 (Note: the Planning Commission's preference is for all "prohibitions" to be listed as the first regulation under any subsection heading for regulations.

Summary of 4/15/10 meeting outcomes:

1. It was the consensus of Planning Commission that the marina survey was adequate to address the status of marinas in Gig Harbor Bay and that additional research is not required pending public testimony on the issue at the Commission's public hearing scheduled for the shoreline master program update.
2. Revise subsection 7.4.2.A (Policies for Marinas) to state: "Marinas are water dependent uses and should contribute to public access and enjoyment of the waters of the state." The "heading" for the subsection section should be revised from "Priority for marinas" to "Public Access and Enjoyment."
3. Delete subsection 7.4.2.B (Marina boat storage)

4. Per Jill G, revise “Water-dependent, Water-enjoyment & water-oriented” on page #2-27 to include the word use at the end (example: water-dependent “use”) to be consistent with the definition provided for each of the 3 words.
5. Delete subsection 7.4.2 D (Launch Ramps)
6. Revise subsection 7.4.3.A (Policies for commercial fishing moorage) to state: “Commercial fishing is an important water dependent use and facilities that support the commercial fishing industry should be allowed.”
7. Revise subsection 7.4.8.7 (Regulations-Piers, Docks, Floats and Lifts-Accessory to Residential use) to state: “Single-user docks/piers/floats shall meet side yard setbacks for residential development (both onshore and offshore); However, a shared dock/pier may be located adjacent to or upon a shared side property line upon the filing of an agreement by the affected property owners.”
8. Revise original draft subsection 7.4.8.3) as follows:
 - “3. To minimize adverse effects on nearshore habitats and species caused by overwater structures that reduce ambient light levels, the following shall apply:
 - a. The width of docks, piers and floats shall be the minimum necessary , and in no case shall be wider than eight (8) feet unless authorized by state resource agencies.
 - b. Materials that will allow light to pass through the deck may be required where the width exceeds 8 feet.
 - c. Grating to allow light passage or reflective panels to increase light refraction into the water shall be used on piers, docks, floats and gangways in nearshore areas.”
 - d. Use of non-toxic materials, including but not limited to steel, concrete and non-toxic wood, approved by applicable state agencies.
9. Revise and re-order 7.4.8.9) (prohibition on storage of fuel, oil, etc on residential floats etc.) to become new 7.4.8.3
10. Delete subsection 7.4.9.5.i
11. Revise subsection 7.4.9.3.e to state: “Marina development shall be required to include public access amenities consistent with Section 6.4 (Public Access) of the Program. Public access shall be designed to be environmentally sound, aesthetically compatible with adjacent uses, and safe for users.”
12. Revise subsection 7.4.9.3.f to state: “Live-aboard vessels are allowed in marinas provided that adequate facilities and programs to address waste and sanitary disposal are in place. Off-street parking for live aboards shall be provided consistent with the requirements of GHMC 17.72.”

Summary of 4/22/10 Meeting Outcomes:

1. Revise subsection 7.4.9.4 by deleting the comma that follows the word “possible” and adding it following the word “minimize.”
2. Revise subsection 7.4.9.5.b by deleting the word “development” and replacing it with the “facilities,” to read: “.....but not limited to, office space, parking, open air storage, waste storage and treatment, stormwater management facilities, utilities and *upland transportation facilities.*”

3. Revise subsection 7.4.9.5.f to reference required type of sewage pump out equipment.
4. Revise subsection 7.4.9.5.g to delete moorage slip and liveaboard thresholds (XX designation). Revise language to state: "Marinas with live-aboards shall provide restrooms and sewage disposal facilities in compliance with applicable health regulations. Delete remaining original draft language.
5. Revise subsection 7.4.9.5.h by changing the word "several" to "upland."
6. Delete subsection 7.4.9.5. i.
7. Replace subsection 7.4.9.5.j with all of regulation #12 from existing SMP (see page 31 of existing SMP)
8. Revise subsection 7.4.9 by adding regulations 1.A through E from existing SMP (page #29) as either new regulation #6 or #7 depending on whether existing draft 7.4.9.6 is retained in whole or part or deleted in its entirety based on the "holding pen" review noted below.
9. Revise subsection 7.4.10.1 to state: "New or existing marinas or moorage facilities which provide moorage and support facilities for active commercial fishing vessels shall be exempt from the parking requirements of Gig Harbor Municipal Code Title 17."
10. Delete 7.4.10.2 in its entirety
11. Revise the "heading" for subsection 7.4.3-Policies for Commercial Fishing Moorage by adding the word "Vessel" between the words Fishing and Moorage.
12. Revise 7.4.3.A to state: "Commercial fishing is an important water-dependent use and facilities that support the commercial fishing industry, including moorage, should be allowed."
13. Revise subsection 7.5.2.5 to state: "Between October 31st and April 1st, clearing may be conducted provided the areas to be cleared are identified when leaf is present."
14. Revise subsection 7.6.1.A to state: "Give preference to water-dependent commercial uses, then to water-related and water-enjoyment commercial uses in shoreline locations. Non-water oriented commercial uses may be allowed if they are combined with public benefits, such as public access, education and shoreline ecological restoration."
15. Revise subsection 7.6.2.3 (Regulations-Water-Oriented Use/Development) by deleting 7.6.2.3 in its entirety.
16. Revise subsection 7.6.3.1.a (Regulations-Non-Water-Oriented Use/Development) by adding a semi-colon after the word "right-of-way" and adding the word "or", and by deleting the words "such that access for water oriented use is precluded."
17. Revise subsection 7.6.3.1.b to read: "The use is part of a mixed use project that includes water oriented uses and provides significant public benefit with respect to the city's Shoreline Master Program objectives; or"
18. Revise 7.6.3.1 to state: "Non-water oriented commercial uses are allowed in the shoreline jurisdiction if they meet the following criteria:"
19. Revise subsection 7.6.3.3 to state: "the city may waive or modify the requirement to provide public access and/or restoration when:"
20. Revise subsection 7.6.3.3.a by changing the word "infeasible" to "not feasible."

Summary of 5/6/10 Meeting Outcomes:

1. Revise Section 7.6 “section heading” from “Commercial” to “Commercial Uses”.
2. Create definition for “low impact development” to support the use of the term as set forth in subsection 7.6.1.D-Low Impact Development Techniques.
3. Revise subsection 7.6.1.B by adding a reference to, “consistency with the public access requirements set forth in Chapter #6, subsection 6.4.2.”
4. Delete the words “public access and” from 7.6.3.2.b. Revise statement to read, “When not part of a mixed use development, the city shall determine the type and extent of restoration on a case-by-case basis according to the opportunities and constraints provided by the site.”
5. Revise 7.6.3.3 to state, “The City may waive or modify the requirement to provide public access and/or restoration when:”
6. Revise last sentence in subsection 7.6.3.3.a to state, “In such cases, where on-site restoration/enhancement is not feasible, equivalent off-site restoration/enhancement shall be provided consistent with the policies and regulations of this program, including, the requirements of the city’s Shoreline Critical Areas Regulations and the Shoreline Restoration Plan Element.
7. Delete all of 7.6.3.3.b
8. Revise Section 7.7-Commercial Fishing, by “blending” the existing intent/goal statement from the existing smp (Part 3.06, Pg. #19) with proposed draft language in 7.7. Joyce was assigned the task. Her revised language states: “To preserve the commercial fishing fleet as a significant cultural and economic resource, encourage important fleet supporting services and promote development or rehabilitation of facilities consistent with the fleet’s needs, including the retention and redevelopment of waterfront parcels that provide a substantial and direct contribution to the commercial fishing industry.

The commercial fishing industry consists of the vessels, the moorage facilities and the upland facilities and structures that provide direct support to the industry. It is the historical backbone of the Gig Harbor community and its waterfront environment and has been the focus of the city’s development since its incorporation in 1946. In recent times, the fishing industry has experienced a marked decline due to a variety of social, environmental and economic factors, locally, regionally and globally. Although the fishing fleets in Gig Harbor are small in comparison to the fleet of two decades ago, the value of the remaining fleet is recognized as a very important component of the cultural and community environment. Preservation of the fishing character of the City is a primary consideration in evaluating effects of a shoreline proposal.”

9. Revise subsection 7.8.1.A. (Dredging and Dredge Material Disposal), by revising the second sentence to state. “Maintenance dredging of established navigation channels, such as the entrance to Gig Harbor Bay, and basins,

- should be restricted to maintaining previously dredged and/or existing authorized location, depth and width.”
10. Delete subsection 7.8.2.4.g
 11. Reorder subsection 7.8.2 by moving the current #6 to #1 and re-ordering the remaining regulations numerically.
 12. Revise 7.8.3.1 to state, “The City may permit disposal of dredge material only when the project proponent demonstrates the activity is consistent with the Program.”
 13. Revise subsection 7.8.3.4 to state, “When consistent with this Program, disposal of dredged materials in water areas other than PSSDA sites may only be allowed in approved locations for the following reasons:”
 14. Revise references in “7.8.3.3 & 4-Dredging Disposal, to reflect the correct name (Dredged Material Management Program (DMMP) for the interagency program that oversees the marine disposal of dredge material (formerly known as PSSDA).
 15. Revise 7.10-“heading for Fill” to state, “Fill & Excavation”.
 16. Revise 7.10 “intent/goal statement” to state: “To avoid fill and excavation activities along the shoreline, except when necessary to accommodate an approved shoreline use or development, or when associated with enhancement or restoration of shoreline habitat and landforms.
 17. Revise 7.11.2.1 (regulations-Historic Net Sheds) to state, “Non-water oriented uses are allowed in net sheds when the following criteria is met:”
 18. Add lower case “c” to the third/last net shed regulation set forth on page # 7-37 and delete last sentence from regulation.
 19. Add new regulation 7.11.2. number 4 that states, “The conversion of a net shed to a non-water oriented use shall require a Shoreline Conditional Use Permit.”
 20. Revise Section 7.12-Industrial Development, consistent with existing Part 3.09 of the city’s current shoreline master program (discouraged on a policy basis and prohibited on a regulatory basis).
 21. Revise 7.13.2.1 (In-stream Structures-Regulations) to state, “In-stream structures are only allowed as part of fishery and fish habitat enhancement projects.”
 22. Review other jurisdictions smps and develop a regulation for Section 7.14 (Pedestrian Beach Access Structures) that implements policy 7.14.1.B (Public access and shared use)
 23. Revise 7.14.1.C (Protection of resources and neighboring properties) to state, “Beach access structures should not be permitted until effects on marine shoreline functions and processes, including any significant adverse effects and adjoining lands and properties, are fully evaluated and a mitigation plan submitted.” Revise the last sentence of the policy to state, “The City should not permit these structures in areas where there are potential risks to human health and safety or adverse effects on shoreline functions and processes.
 24. Revise 7.14.2.b to state, “Structures shall follow the existing topography to the maximum extent possible.”

** Note: additional minor "wording" revisions to existing policies and regulations that are not reflected by the meeting minutes are being tracked by staff and will be addressed by the next draft that reflects the Planning Commission's review and comment.

Holding Pen Status:

1. Shoreline Stabilization-Modification/Use Matrix, Chapter 7, Pg. 7-3 (3/4/10 meeting)
2. Moorage-Chapter 7 (3/18/10 meeting)
3. Private/Public Boat Launch Ramps (3/18/10 meeting)
4. Aquaculture in Henderson Bay/Burley Lagoon, Modification/Use Matrix, Chapter 7, & subsection 7.3.2, regulations 3, 4 & 5 (3/18/10 meeting)
5. Low Intensity Designation for Purdy Commercial Area-determine correct designation-(4/1/10 meeting)

Note: No issues added to pen @ 4/15/10 meeting

6. Parking for marinas (located away from water's edge)-review at same time as proposed setbacks & buffer discussion-(4/22/10 meeting)
7. Subsection 7.4.9-Regulations-Marinas-subsection 7.4.9.6.a-e. Relevance of additional required technical studies-Kim will check "Marina Best Management Practices" to determine if they are the source of the requirements.-(4/22/10 meeting)
8. Section 7.6-Commercial-review all draft requirements for water oriented and non-water oriented development-(5/6/10 meeting)
9. Subsection 7.6.3.2.a-(80% restoration requirement for vegetation conservation area)-(5/6/10 meeting)
10. Subsection 7.6.3.4-(20 foot rear yard setback from bulkhead line or OHWM)-(5/6/10 meeting)
11. Subsection 7.10.1.B-Shoreline Stabilization policy (related to discussion on item #1 above)-(5/6/10 meeting)
12. Subsection 7.10.2.3-fill related to shoreline stabilization (related to discussion on item #1 above)-(5/6/10 meeting)