

City of Gig Harbor Planning Commission
Work Study Session
September 30, 2010
A/B Conference Rooms
4:00 pm

PRESENT: Michael Fisher, Jill Guernsey, Harris Atkins, Jim Pasin, Ben Coronado and Bill Coughlin.

STAFF PRESENT: Staff: Jennifer Kester, Tom Dolan and Peter Katich, Reema Shakra, ESA Adolfson, Theresa Vanderburg, ESA Adolfson and Kim Van Zwalenburg Department of Ecology

CALL TO ORDER: at 4:00pm

APPROVAL OF MINUTES: Approval of the minutes of September 23, 2010.

Mr. Pasin asked about the wording on the bottom of 2nd page regarding the principle use of commercial parking lots which he thought was confusing. Mr. Katich said that he felt that it said that right now in the existing master program we have a prohibition against stand alone commercial parking areas and in the zoning code we don't allow commercial parking lots either but we require a conditional use for a parking lot associated with a water oriented use so it was being proposed to change the zoning code to allow associated parking. Mr. Atkins asked for clarification of what was being researched in regard to if something is a conditional use in the zoning code and not in the master program does that mean that you don't have to get a conditional use permit? Mr. Katich stated that he put it on the holding pen list because staff hadn't come to a decision on the issue in time to present it to the Commission at this afternoon's meeting. He said that staff is still working on the issues surrounding this topic and will address it at an upcoming meeting.

MOTION: Move to approve minutes of September 23, 2010 as written.
Guernsey/Fisher. Motion carried.

Mr. Katich went over the information he had distributed to the Commission this week on marine setbacks and the critical area regulations.

Mr. Katich presented information on critical area buffers, stating that the approach is to take the current critical area regulations and place them within the shoreline master program. He noted that the biggest difference is that the administrative procedures will need to be modified to align with Department of Ecology required review process for granting relief from strict compliance with the required buffer standards. This typically would involve approval of a variance by the DOE, rather than approval of a reasonable use exception by the city. He then went over other areas where there were differences between current regulations and what is being proposed. Ms. Guernsey clarified that we have to address critical areas within the master program and in order to achieve no net loss of ecological function you must do a site specific analysis and the most restrictive will apply. Mr. Katich introduced Theresa Vanderburg a Wetland Biologist with

ESA Adolfson and Reema Shakra an Urban Planner also with ESA Adolfson the consultant working with us on the Shoreline Master Program update. Ms. Vanderburg then went over the technical information that supports the marine buffers and the importance of marine riparian zones. Mr. Fisher asked if there were areas that aren't as critical as others or may not be marine riparian zones and Ms. Vanderburg said yes, it depends on the level of function within the area. Ms. Vanderburg then went over the table of information that she had provided to the Commission on the purpose and intent of setbacks. Ms. Shakra then went over the standards within the Critical Area Ordinance for steep slopes and bluffs. Mr. Katich pointed out the memo from the Department of Ecology on the marine setback issue and why they are needed. He then went over the matrix he had prepared comparing what other jurisdictions have imposed for marine setbacks. Ms. Guernsey asked for clarification on the differences between critical area buffer and marine shoreline setback and Mr. Katich indicated that they were two different requirements and that in instances where both applied, the stricter of the two would control. Mr. Pasin asked about the creation of non-conformities and how that would be handled. Ms. Shakra said that jurisdictions have non conforming regulations that sometimes get pulled into the shoreline master program as they have been applied in zoning issues. She emphasized that that will be part of the process to assure that the non conforming section does protect those areas that may be redeveloped. Ms. Vanderburg then went over some of the other jurisdictions and how they came about their marine setbacks. Mr. Coughlin wondered if there were perhaps two different approaches since the different areas have different impacts and the science must be different. Ms. Vanderburg stated that each analysis is site specific. Ms. VanZwalenburg explained no net loss and it's applicability to the entire downtown shoreline area in addition to examining it on a case by case basis.

Ms. Kester displayed the buffer and setback standard matrix. She went over the chart and the aerial photographs. Mr. Katich went over the area of Gig Harbor Bay first and the proposed vegetation conservation area strip and setbacks. Mr. Pasin asked about the areas where there is no vegetation what is the goal and Mr. Katich said that the goal is to try to reintroduce vegetation. Discussion continued on some of the existing non conformities in this area. Mr. Fisher expressed his concern with creating so many non conformities and Mr. Dolan clarified that existing buildings can remain; this is only applied if they choose to redevelop or expand. Mr. Pasin said that he felt that this would create vacant lots and dilapidated buildings in the future. Mr. Atkins emphasized the need to listen to the information being proposed and understand what we can propose going forward. He asked if it was possible to pick and choose where we put buffers and where actual improvement in the ecological function can be achieved. Mr. Coughlin agreed and stated that he was hesitant to draw lines where development currently exists. He felt that the analysis of no net loss should be cumulative. Ms. Kester then continued the visual presentation of the existing shoreline with the setbacks overlaid.

Mr. Fisher asked about the extreme situations with shallow lots and Ms. Shakra said that provisions could be written in to address these lots. Mr. Katich suggested that an approach could be setback averaging. Discussion continued on different scenarios and how the current regulations would be applied versus the proposed regulations. The Commission next looked at the Crescent Creek area where there are some parcels that are more impacted as the setback

goes across the road in some locations. It was discussed that this would be the perfect area for some common line setbacks or averaging. Further discussion was held on variances that could be possibly obtained for this type of situation.

The Commission then discussed the area surrounding the spit and its setbacks. Chairman Atkins surveyed the Commission on what they felt were remaining issues. Mr. Coughlin wanted to talk more about the tools for nonconformities. Mr. Coronado wanted to examine the balance between degradation and increased function in relation to the tools. Ms. Guernsey wanted to go through some examples of how these regulations would be applied to redevelopment. Mr. Fisher said that he felt that they needed to see the percentage of parcels that will be affected. Mr. Atkins said that he wanted to examine how we protect our historic areas and that most of the people he spoke with like the town the way it is.

Mr. Dolan reiterated what he heard the Commission saying and suggested that perhaps there could be a regulation that would allow redevelopment to encroach no more into the setback than what exists. Ms. VanZwalenburg cautioned that you have to do the cumulative impact analysis to assure that you are achieving no net loss. Discussion continued on other incentives such as low impact development techniques. Ms. Kester suggested that the setbacks could be increased in other areas where the impact is not as great. Mr. Katich stated that he could work with Ms. Shakra to do a cumulative impact analysis sooner than planned as that may be valuable information for the Commission to consider. Mr. Fisher asked if ESA Adolfson had information on the impact of marinas to the environment in order to measure improvements. Ms. Vanderburg answered that yes there have been studies done but they are not specific to Gig Harbor. Ms. VanZwalenburg stated that even with the changes that have been made in shoreline regulations we are still losing ecological resources and each jurisdiction does need to examine what they are gaining.

Mr. Katich went over the schedule for the next meeting. He stated that staff would try to bring some examples to the next meeting and start on the holding pen items. Mr. Dolan also stated that staff would try to come up with some creative solutions to the setback issue.

MOTION: Move to adjourn. Fisher/Guernsey – Motion carried.

No additional meeting outcomes or holding pen items.