

City of Gig Harbor Planning Commission
Work Study Session
November 4, 2010
Planning & Building Conference Room
4:00 pm

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

STAFF PRESENT: Staff: Tom Dolan and Pete Katich and Kim Van Zwalenburg from the Department of Ecology. Mr. Katich introduced Mr. Guy Hoppen, founding director of the Gig Harbor Boat Shop and long time fisherman.

CALL TO ORDER: at 4:00pm

Mr. Hoppen expressed that he felt that the balance of use and how it affects commercial fishing in Gig Harbor had been weakened by the newly proposed Shoreline Master Program. He pointed out that several changes had been made to allow non water oriented development. He also stated that there were several statements that were conflicting with that stated goal. Mr. Hoppen emphasized the need to maintain some form of a working waterfront. He further suggested a cap on marina development as suggested during the stakeholders meetings. He noted where marinas had replaced the working waterfront. Mr. Hoppen pointed out a statement in 7.7 that says that commercial fishing is declining and asked that the statement be removed as it was not accurate as there had been a strong upswing in the last ten years. Mr. Hoppen asked that commercial fishing shops and services be the term used for mixed use and stated that the term should be better defined. Mr. Hoppen voiced his concern for allowing net sheds to have adaptive reuse rather than remain water dependent.

Mr. Katich noted where he had addressed some of Mr. Hoppen's comments and stated that he had prepared some information for the Commission to fix some of the conflicts between the use matrix and the definitions.

Mr. Atkins stated that the goal of the Commission was to save the net sheds and they had felt that adaptive reuse of them would encourage people to maintain them. He also pointed out that approximately 30% of the net sheds are on state-owned aquatic lands so they can't be anything other than water dependent.

Discussion continued on the desire for a mixed use waterfront, what that entailed and how it can be achieved.

Mr. Hoppen spoke about different properties around the harbor that have been converted from working sites into either heritage sites or marinas.

Mr. Fisher wondered if some of these issues were zoning issues rather than shoreline issues. He went on to say that a town is more than just fishing related businesses and emphasized the

need to have concern for all the businesses in the downtown. Mr. Hoppen talked about the need for public access as well. Mr. Katich noted that the Commission did recognize the need for a plan for public access. He also talked about a smaller area within the downtown that could be dedicated to more of a working waterfront. Mr. Coughlin stated that he didn't really think some of these issues were necessarily something that should be addressed within the Shoreline Master Program.

Chairman Atkins called a recess while Mr. Hoppen left the meeting.

APPROVAL OF MINUTES: Approval of the minutes of October 21, 2010.

MOTION: Move to approve the minutes of October 21, 2010 as written. Coronado/Fisher – Motion carried.

WORK-STUDY SESSION

a. Definition for “appurtenance”-Chapter 2-Definitions:

Mr. Katich went over the origin of this definition. He stated that the term is used in subsection 8.2.2 where it addresses exemptions to the shoreline substantial development permit requirement. He suggested that there should be a direct quote from the WAC added to number 7. Mr. Pasin talked about parking and stated that he didn't want to restrict anything that could provide more parking. Mr. Katich noted that this definition wouldn't prevent the construction of a larger garage; however, it would require the approval of a shoreline permit, rather than be permitted under a shoreline permit exemption. Mr. Fisher stated that he felt that two car was too small and that it should be three car. **It was decided to change it to 24 x 36 feet.**

b. Revisions to Chapter 2-definitions to address zoning code based definitions that for commercial fishing, boat repair/building and related marine industrial uses; revisions to Section 7.12 to strengthen existing draft industrial regulation #2; and revisions to use matrix to address the new zoning code based industrial uses as either permitted or prohibited uses::

Mr. Katich reviewed the need for these revisions and definitions. The Commission generally supported the approach to use zoning code definitions to address industrial uses within the shoreline designations, and the revision of the shoreline use matrix to address those uses. In regard to the regulation #2 set forth in Section 7.12, **Mr. Coughlin suggested that it say “development shall be required to contain” rather than “include the capability of”.** **Mr. Fisher suggested that they keep the word “capability” and just add the other language and Mr. Coughlin agreed. Everyone agreed. Mr. Pasin noted that it should specifically address marine industrial rather than just industrial. Mr. Atkins suggested that there should be two sections. Mr. Katich clarified that they wanted the intent statement to say, “to support the commercial fishing fleet and recreational boating community of Gig Harbor”.** **Everyone agreed. It was decided to add a marine industrial sub section.** Discussion followed on having these changes available at the public hearing.

At this point in the meeting, the recording equipment failed. The remainder of the minutes are compiled from Mr. Katichs' meeting notes and memory.

c. Bulk Dimensional Standard Matrix-Subsection 7.1.2:

Mr. Katich provided the Commission with draft subsection 7.1.2-Bulk Dimensional Standards for their review. He noted that the matrix contains no new requirements, but summarizes existing setback requirements for piers, docks and floats from the city's existing shoreline master program and existing maximum impervious lot coverage and building height requirements set forth in the city's zoning code. The Commission confirmed that no new regulations had been added to the matrix and generally supported the proposed approach.

d. Proposed revision to Subsection 7.11.-Historic Net Shed Regulations:

Mr. Katich addressed the existing draft net shed regulations set forth in subsection 7.11. He noted that, in his opinion, revisions were necessary to the existing draft text to ensure the consistent use of terms (non-water oriented use rather than non-water dependent use) and to eliminate existing references to proposed net shed design guidelines originally proposed to be included in the city's Design Manual (Gig Harbor Municipal Code Chapter [GHMC] 17.99). In regard to the latter issue, Mr. Katich noted that the city's Historic Preservation Ordinance (GHMC 17.97), contains provisions that regulate the exterior appearance of structures placed on the city's Register of Historic Places. He noted that based on input from the city's Historic Preservation Coordinator, Dawn Stanton, those existing regulations were adequate to address the design of any net shed that is listed on the city's register as a requirement for allowing the conversion of a net shed to a non-water oriented use. Commissioner Guernsey noted several additional subsections that needed to be revised to address non-water oriented uses, rather than non-water dependent uses. Mr. Katich indicated that he would revise those as well as the other subsections that he had identified as needing revision. The Commission supported the elimination of the reference to the net shed design requirements in the city's Design Manual, provided the design issue was addressed by the city's Historic Preservation requirements (GHMC 17.97).

e. Revisions to Subsection 7.6.3-Non-water oriented Use/Development to align with permitted non-water oriented commercial use in City Waterfront and Purdy Commercial designations:

Mr. Katich noted that with the inclusion of upland, non-water oriented commercial uses as a permitted use activity in the City Waterfront and Purdy Commercial Environmental Designations per the Planning Commission's direction, there is a need to further revise the draft regulations in subsection 7.6.3 that address non-water oriented use and development. In this regard, Mr. Katich noted that the subsection currently includes criteria that any non-water oriented use must meet in order to be allowed within any of the city's shoreline environmental designations. Since it is the intent of the Commission to allow non-water oriented uses as an outright permitted use in both the City Waterfront and Purdy Commercial designations, the criteria should not apply to those two designations. Mr. Katich suggested a revision to the current draft that would "except out" the two designations from the application of the code requirements. The Commission generally agreed with the proposed approach.

f. Revision to draft subsection 8.7.2(2)-Duration of Permits:

The need to further revise draft subsection 8.7.2(2) was brought to the Commission's attention by Commissioner Guernsey who noted that based on her recent experience working on litigation associated with a land use matter in the County, the term "development" used in the

subsection needs to be replaced with the term “construction.” This would result in the city’s code requirement being consistent with the provisions of the State Shoreline Management Act (RCW 90.58.143(3)) that address the “duration” of shoreline permits. It will also provide a more precise term to address the maximum time period for projects involving the construction of structures, rather than the term development, which can include activities not associated with the construction of structures. The Commission agreed with the need to make the revision.

Summary of 11/4/10 Meeting Outcomes:

1. Revise the definition for appurtenance in Chapter 2-Definitions to increase the size allowance for “garages” to 24 feet by 36 feet (864 square feet).
2. Revise Chapter 2-Definitions to further support the proposed zoning code based approach for regulating industrial uses within the city’s shoreline designations. This would include revising the definition for the term “Industrial” by replacing the current definitions for water-dependent and water-related industrial uses with definitions for Industrial Levels 1 and 2. Additional definitions would also be provided for Marine Industrial, Marine Boat Sales, Levels 1 and 2 and Marine Sales and Service. Also, revise the shoreline use matrix (subsection 7.1.1-Table 7-2) to address permitted and prohibited industrial uses based on current zoning code regulations for such uses. Lastly, revise subsection 7.12.1-Policies, to create separate subsections (A & B) for industrial level 1 & 2 uses and marine industrial uses, and revise subsection 7.12.2.2-Regulations, to strengthen the provision relative to cleaning up illegal spills and preventing water pollution.
3. Add the Bulk Dimensional Standard Matrix to Subsection 7.1.2.
4. Revise Section 7.11 for consistency in the use of the terms “non-water-oriented and water-dependent” uses.
5. Revise subsection 7.6.3-Regulations-Non-Water Oriented Use & Development to “except out” the review of such uses allowed as outright permitted uses within the City Waterfront and Purdy Commercial designations.
6. Revise subsection 8.7.2(2) to use the term “construction” rather than the term development to align the provision with the related statute in the State Shoreline Management Act (RCW 90.58.143(3)).