

**City of Gig Harbor Planning Commission  
Work Study Session  
January 27, 2011  
Planning and Building Conference Room  
4:00 pm**

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

**STAFF PRESENT:** Staff: Tom Dolan, Peter Katich, Lita Dawn Stanton and Kim Van Zwalenburg from the Department of Ecology.

**CALL TO ORDER:** at 4:00 pm

**APPROVAL OF THE MINUTES:**

The approval of the minutes was postponed until the end of the meeting.

**WORK STUDY SESSION**

The Commission first decided to discuss the possible down zoning of the Donkey Creek area from WC Waterfront Commercial to WR Waterfront Residential. Senior Planner Peter Katich described the parcels included within the potential down zone area. He further referenced his memorandum dated January 27, 2011 that provides staff's analysis of the down zone. He noted that the regulatory scope of the city's existing Critical Area Ordinance and the shoreline critical area regulations proposed for inclusion in the updated master program will be increased with regard to properties located within the potential down zone area when the creek is removed from its culvert and "day lighted" as part of the Donkey Creek restoration project. He noted that all critical areas within a 300 foot radius of a proposed development site are required to be evaluated for potential impacts under the city's critical area regulations and the day lighting project will expand the area subject to the regulations.

Mr. Katich reviewed the staff analysis of the area which included its existing land use and zoning. Discussion was held on the existing uses and structures in the zone and the impacts of this change. Mr. Katich noted that WAC 173-26 promotes consistency between the city's Comprehensive Plan, its zoning regulations and the master program. He noted that in the opinion of staff, the down zone would make the proposed Urban Conservancy Environmental Designation and the underlying zoning designation more consistent with each other.

Mr. Atkins asked if this was really necessary as the chances of these properties being anything other than single family residences was pretty slim. Mr. Dolan agreed that it would be difficult for them to be anything other than that due to the critical area restrictions. Mr. Pasin stated that he felt that the zoning should remain WC. Mr. Fisher

didn't think the down zone was necessary. Mr. Coughlin felt that it should be down zoned in order to achieve consistency. Mr. Coronado stated that he was not in favor of down zoning that property as it may have too big of an impact on the property owners. **With four Commission members opposed to the down zone and one in favor of it, the Commission decided to not make a recommendation to the City Council that the subject area be down zoned in conjunction with the adoption of the updated master program.**

The Planning Commission then discussed the proposed Historic Working Waterfront Environmental Designation. Dawn Stanton, the city's Historic Preservation Coordinator, addressed the revisions she made to the draft purpose statement and management policies in response to suggestions by the city's consultant and staff. In regard to the proposed management policies in subsection 5.2.7.D, Mr. Fisher asked about the policy language in draft Policy D which states, "and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration." Mr. Pasin inquired regarding the phrase in the same policy that addresses "adverse visual impacts and to minimize impacts on surface navigation." Ms. Van Zwalenburg said that was standard policy language to assure people's right to access the water. Mr. Katich noted that it is a policy not a regulation. Mr. Dolan suggested using the phrase "will not unreasonably obstruct". **It was decided that on page 5-24, policy D.8 the word unobstructed would be deleted from the draft policy.** Discussion followed on what "natural hydrographic conditions" meant as stated in draft Policy 12. Ms. Van Zwalenburg stated that it had to do with the movement of water. Mr. Katich said that he would research this subject and e-mail them prior to the next meeting.

Staff then discussed non-water oriented uses in the proposed Historic Working Waterfront and City Waterfront Designations, noting those uses which were prohibited in the Historic Working Waterfront. Mr. Fisher had to leave the meeting and stated that he wanted the property owners to have the maximum amount of flexibility. Mr. Pasin expressed his concern with too many uses being prohibited in this designation. Ms. Van Zwalenburg pointed out that based on the purpose of the designation "marine industrial uses" should be promoted.

Mr. Katich then went over his analysis of the proposed Historic Working Waterfront designation purpose statement and its inconsistency with the shoreline use matrix addressed by Table 2 on page 7-6 of the draft master program. He addressed the draft language that states, "Those properties that have been listed on and/or qualify for the city's Register of Historic Places shall be eligible for conditional non-water dependent uses such as offices, sales, restaurants and small-scale marina trade businesses." He noted that the shoreline use matrix currently allows water-related and water enjoyment uses (both non-water dependent) as a conditional use water ward of the Ordinary High Water Mark within existing structures. He further noted that the city's Historic Net Shed provisions set forth in Section 7.11 provide for non-water oriented uses within net sheds as a conditional use subject to the structure's listing on the city's Register of Historic Places. He noted that the allowance of general retail sales and offices is in direct conflict with the draft purpose statement for the Historic Working Waterfront

Designation, and that the proposed historic net shed provisions will allow a broad range of uses within registered net shed structures that exist within both the proposed City Waterfront and Historic Working Waterfront Designations.

Ms. Stanton addressed the philosophical difference between historic preservation and land use regulations. She stated that allowing these uses will promote the preservation of the net sheds in this area. Mr. Katich noted that the proposed historic net shed regulations that apply to the City Waterfront Designation would be more restrictive in terms of allowable use than the use regulations that would apply to net sheds in the Historic Working Waterfront Designation. He expressed concern regarding such an outcome. Ms. Van Zwalenburg asked how the net sheds in this area were different from the others located in the City Waterfront Designation and said she did not feel that allowing non-water oriented uses had a connection to a historic working waterfront. She additionally stated that she would have a hard time arguing for the adoption of such a proposal and it might undermine the proposal for the allowance of adaptive reuse of net sheds in the City Waterfront Designation.

Mr. Katich further addressed the importance of requiring that the net sheds be listed on the city's historic register not just qualify for the register. Mr. Pasin stated that he didn't think they should adopt this at the expense of the adaptive reuse of all net sheds. **Ms. Stanton said she would change the language to say that only those properties listed on the city's historic register are eligible for a conditional use permit.** Mr. Katich noted that with this change and the addition of a minor explanatory foot note to the shoreline use matrix, all the net sheds will be treated the same whether in the proposed Historic Working Waterfront or elsewhere.

**Ms. Stanton noted that in the City Waterfront (subsection 5.2.6.A) the purpose statement on page 5-21 needed to be revised, replacing the word "historic" with "existing," in order avoid confusion with the Historic Working Waterfront. Mr. Atkins wondered if there should be a word search of the entire document for the word historic and Mr. Katich said he would do that. Ms. Van Zwalenburg stated that some of the language needs to be beefed up in the City Waterfront purpose statement to emphasize how Gig Harbor is different in order to support the adaptive reuse of net sheds and non-water oriented uses at upland locations. Mr. Katich said that he is working on that language in response to her previous comment on that issue.** Ms. Stanton noted that there will be a definition for "historic" added. Mr. Coughlin asked Ms. Van Zwalenburg if there should be language added somewhere else about how unique Gig Harbor is and she stated that the more it is stated the more support there could be for it.

The Planning Commission then went over the new schedule. Mr. Atkins noted that staff will be addressing the comments of Mr. Reynolds on behalf of Gig Harbor Marina at the next meeting and requested that the Commission members review the November 17, 2010 letter prior to that meeting. Additionally he noted that the City Attorney will be providing the Commission with her response to the letter. Mr. Atkins emphasized the need to come prepared with comments for the meeting on February 3<sup>rd</sup>. He also noted

that Mr. Pasin will chair the meetings on the 10<sup>th</sup> and the 17<sup>th</sup> of February as he will be out of town.

### **APPROVAL OF THE MINUTES:**

**MOTION:** Move to approve the minutes of January 13, 2011.  
Coughlin/Coronado. Motion carried.

Mr. Katich noted that Ms. Van Zwalenburg was not at the meeting of the 20<sup>th</sup>.

**MOTION:** Move to approve the minutes of January 20, 2011 with the correction.  
Pasin/Coronado. Motion carried.

### **ADJOURNMENT**

**MOTION:** Move to adjourn. Coronado/Coughlin. Motion carried.

### **Summary of 1.27.11 Meeting Outcomes:**

1. The Commission decided to not recommend to the City Council a down zone of the existing WC zoned area within the Donkey Creek area Urban Conservancy Environmental Designation.
2. Directed staff to remove the word “unobstructed” from Policy D.8 on page 5-24.
3. Directed staff to revise the purpose statement in draft Section 5.2.7.A by deleting the words “and/or qualify” from the statement. The revised language will state in pertinent part, “Those properties that have been listed on the City’s Register of Historic Places shall be eligible for conditional non-water dependent uses such as offices, sales, restaurants and small-scale marina trade businesses.”
4. Directed staff to revise the shoreline use matrix, Table 2, to be consistent with the purpose statement revisions noted under #3 above. Staff would note that this potentially involves adding a footnote to the table for the “commercial use” category that references the proposed Historic Net Shed provisions in Section 7.11, and the requirement for a conditional use permit and Historic Register status to allow the adaptive reuse of over water net sheds with non-water oriented uses (as allowed by the net shed regulations). Also required would be a further revision to the purpose statement by revising the reference to “non-water dependent uses” to a reference to “non-water oriented uses.”
5. Directed staff to revise the City Waterfront purpose statement by replacing the word “historic” with the word “existing.” Directed staff to do a “word search” for all other references to the word “historic.”