

**City of Gig Harbor Planning Commission
Work Study Session
Planning/Building Conference Room
April 14, 2011
4:00 pm**

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

STAFF PRESENT: Staff: Peter Katich, Tom Dolan and Kim Van Zwalenburg from Department of Ecology.

CALL TO ORDER: at 4:00pm

APPROVAL OF MINUTES:

Mr. Atkins stated that on the 3rd page in the eighth line from the bottom, the word should be “looked” rather than “look” and that there was a subject that although it had not been discussed, it had been recognized. He said he would like to add at the end of the first paragraph a parenthetical statement as follows: (note: The issues contained in the letter from Dennis Reynolds dated March 31st, 2011 have been forwarded to the City Attorney for advice prior to consideration by the Commission).

MOTION: Move to approve the minutes of April 7, 2011 as amended.
Fisher/Pasin – motion carried.

WORK STUDY SESSION

Mr. Katich asked that item b on the agenda (Review proposed revised vegetation conservation strip landscape regulations) be moved to the end of the meeting. Everyone agreed.

1. Shoreline Master Program Update
 - a. Review proposed Shoreline Environmental Designation revisions
 - i. Dennis Reynolds request on behalf of Stan & Judith Stearns-9110 Randall Drive, East Gig Harbor UGA-re-designate from Urban Conservancy to Low Intensity

Mr. Katich went over the request and the accompanying information. He noted that it had been decided at the last meeting that we would have our consultant look at this request. He noted that by memorandum dated April 12th, 2011 ESA had provided their response. Mr. Katich stated that they had not reached a conclusion on how the property should be designated because that is a policy decision for the Commission to

address; however, ESA did note several attributes of the property that are consistent with the criteria for an Urban Conservancy Shoreline Environment Designation. He then addressed Mr. Halsan's e-mail of April 14th, 2011 rebutting this information. Mr. Katich noted that this property is not currently in the city and there has been no interest in annexing this property; therefore, it will be regulated for the foreseeable future by Pierce County. He noted that the County is proposing a Low Intensity designation for the subject property, and that the County's designation ends to the north of the property at the city limit line of the city of Gig Harbor. He then displayed the property on the screen for the Commission to view. Discussion followed on the attributes of the property and where the break between designations occurs. Mr. Atkins noted that this had been discussed several times and he would like to poll the Commission relative to their position on the proposed designation change. Mr. Coronado asked about ESA's assessment of the site and stated that he believed it should remain Urban Conservancy. Ms. Guernsey said that she felt the line should be moved in order be consistent with County regulations. Mr. Fisher agreed that the line should be moved as the Pentac score for the entire area was pretty low. Mr. Pasin said he was in support of changing the designation and he would move it to be consistent with the County. Mr. Atkins agreed that it should be moved. He also stated that a recommendation be made to the City Council regarding the County's proposed regulations and that our regulations may need to be revisited to ensure consistency between the regulations of the two jurisdictions. Mr. Coughlin didn't see any reason to make a change and agreed with the need to revisit regulations once the County adopts their master program. **It was agreed to change the Stearns property from Urban Conservancy to Low Intensity.**

ii. Colvos Passage property owners-Gig Harbor UGA/Colvos
Passage-re-designate from Urban Conservancy to Low Intensity

Mr. Katich went over the request. He noted that there is not as much information or scientific reports for this property. He noted that it is designated as Conservancy by Pierce County and is being proposed to remain Conservancy under the County's update master program. He went over the attributes of this property and why the property owners believe it should be changed. He noted that this property is not proposed to be annexed at any time in the near future. Discussion followed on what the regulations would be if this property were Urban Conservancy. With the help of property owners present at the meeting the Commission went over the area and its attributes. Mr. Coughlin said that he would like it to remain consistent with the County and keep it Urban Conservancy. Mr. Coronado agreed. Ms. Guernsey said she also felt that it should be consistent with the County and emphasized the need to reexamine the area when the County adopts their plan. Mr. Pasin agreed to keep it consistent. Mr. Atkins and Mr. Fisher also agreed. **It was decided to keep the area designated at Urban Conservancy.** Mr. Fisher urged the property owners to go the Pierce County meetings on the update of its shoreline master program to address their proposed designation change.

Mr. Atkins called a 5 minute recess until 5:15 p.m.

- b. Review proposed revised vegetation conservation strip modification requirements (Stuart requested amendment).

Mr. Katich stated that he had drafted a revision to subsection 6.2.3.3-Marine Conservation Strip modifications. He noted that subset #1.b now states, "The exception addressed in 6.2.3.3.1.a shall not apply to structures located between the minimum nonconforming structure setback and the Ordinary High Water Mark (OHWM) as set forth in Table 6-1". He directed the Commission to the next page and the new subset #2 that he had added to allow the intentional removal of a structure or structures located between the minimum nonconforming structure setback and the OHWM. Under the revision, a structure or structures could be reconstructed on the existing building footprint or a combined footprint that does not exceed the total of the existing footprint if the project proponent prepares a Habitat Assessment Report that determines that no net loss of existing ecological functions will result from the reconstruction of the structure(s). Mr. Atkins noted that this property is different from others due to the steep slope. Discussion followed on how this could be applied to other areas. Mr. Dolan wondered if the Commission wanted to allow this in other situations where people have large homes. Discussion continued on other possible situations. Mr. Pasin felt that it was a great solution and Mr. Coronado agreed. Mr. Coughlin felt that people could take advantage of this allowance and that there needed to be something further. Ms. Guernsey felt that it could have some tie to a hardship. Mr. Atkins agreed. Mr. Fisher felt that if some language could be added to require a hardship that would be better. **It was decided to accept Mr. Katich's proposed language with some additional language regarding a hardship criterion.**

- c. Review revised Section 7.11-Historic Net Sheds per DNR's requested revisions

Mr. Katich went over the changes made as a result of the last meeting.

- d. Review proposed revised vegetation conservation strip landscape regulations

Mr. Katich reviewed the proposed revisions and the concept he had developed. He noted that it was based partly on the City of Kirkland and City of Coupeville approaches which were included in both jurisdictions shoreline master programs that had been adopted by Ecology. Additionally he noted that they had worked a view corridor into this proposal. Mr. Atkins suggested that everyone review this proposal and note the areas that they don't like. Mr. Fisher said that he needed more time to review it in order to compare with Department of Ecology regulations. Mr. Atkins said that he had looked at several adopted master programs and all of them were very similar to this. Mr. Dolan explained that the intent of this was to eliminate discretion in applying regulations. Mr. Fisher proposed showing something like what is allowed by the "Green Shores", approach being promoted by the city of Seattle as an example of what you can do along lake shores. Ms. Van Zwalenburg noted that the state does not require certain landscape densities. Mr. Katich cautioned that the requirements can't be changed too

much or it will affect the findings of the city's draft Cumulative Impact Analysis Report. Mr. Atkins noted that there should be a reference to the landscape code regarding what to do when there is a conflict. Discussion was held on possible percentages of native species and coverage. It was decided that the Commission would review this and send suggestions to Mr. Katich. Mr. Dolan suggested that they add language regarding the allowance of recreational uses such as fire pits, etc. shall be allowed. He also noted that this was the last issue to be resolved by the Commission in its review of the draft master program.

Mr. Atkins noted that each Commission member had received a response from the City Attorney that gave some advice on how to respond to the issues discussed in the original letter from Mr. Reynolds dated March 31, 2011. He asked if any changes were necessary based on the City Attorney's response and none were identified by the Commission.

Mr. Atkins then went over some proposed revisions to Chapter 3, Section 3.2 (Summary of Recommendations) of the draft SMP and noted that he wanted to just make sure that the changes had been addressed and suggested that a note be added to reference the changes. The first sentence in the recommendation sections on pages 3-9 and 3-10 was revised to state, "Key recommendations addressed by the city and summarized below."

Mr. Dolan asked if possibly at the next meeting they might be ready to make a final recommendation to the City Council and everyone agreed.

Mr. Fisher asked for further clarification of the vegetation conservation strip. Mr. Katich explained the required setbacks and the size of the vegetative buffer. Discussion followed on whether lawn could be part of the buffer. Ms. Van Zwalenburg explained the effects of lawn on bluffs, noting that it acts like pavement and results in sloughing as people water it more, etc. Discussion followed on the practicality of putting a 50-foot wide vegetated buffer at the top of a bluff.

Mr. Dolan noted that the next meeting is April 21st and then two weeks until the next meeting. He stated that the new Planning Commissioner Craig Baldwin will be coming to the May 5th meeting.

MOTION: Move to adjourn. Guernsey/Fisher – adjourned by acclamation.

Summary of 4.14.11 Meeting Outcomes:

1. The Commission directed staff to change the Stearns property and all remaining shoreline area between it and the Gig Harbor City Limit line to the north from the Urban Conservancy Shoreline Environment Designation to a Low Intensity Designation.

2. The Commission directed staff to retain the Urban Conservancy Shoreline Environment Designation for the Colvos Passage area within the city's Urban Growth Area.
3. The Commission concurred with the staff revisions to subsection 6.2.3.3-Marine Conservation Strip modifications and requested that staff add "hardship" criteria to the proposed provision.