

**City of Gig Harbor Planning Commission
Work Study Session
Planning/Building Conference Room
April 21, 2011
4:00 pm**

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

STAFF PRESENT: Staff: Peter Katich and Tom Dolan and Kim Van Zwalenburg from Department of Ecology. Shawn Hoey from the Master Builders Association of Pierce County and Carl Halsan, Planning Consultant were present as guests.

CALL TO ORDER: at 4:00pm

APPROVAL OF MINUTES:

Mr. Atkins stated that he had a change on page four in the second paragraph. He stated that he felt the minutes should reflect that he had asked the Commission members if they had any changes they wished to make based on the City Attorney's memo and none were offered. Additionally, he also stated in the sentence that starts, "Mr. Atkins went over some changes". He felt that it was more of a summary of the issues that we had addressed based on what came out of the public hearing. Mr. Katich said that this statement was about the Chapter 3 and the recommendations that came out of the inventory and characterization. Mr. Atkins wanted to make sure that it was clear in the minutes that these were changes that had already been made, not new issues.

MOTION: Move to approve the minutes with "He asked if there were any changes proposed as a result and none were identified" added to page four second paragraph. Pasin/Coronado – Motion carried.

WORK STUDY SESSION

Mr. Katich reviewed the discussion held at the last meeting on the revised vegetation conservation strip. He noted that Mr. Fisher had prepared a proposal that they have all received. Mr. Katich noted that he had reviewed Mr. Fisher's approach and took the elements addressed at last week's Commission meeting and inserted them in the staff draft. He then went over the changes he had made. Mr. Fisher asked about the 85% retention requirement and Mr. Katich explained that it only applied on steep slopes. Mr. Pasin stated that he wondered why not retain 100%. Mr. Atkins emphasized the dangers in removing trees on a slope. Mr. Pasin stated that he felt that trees should be retained in the 10-foot wide vegetation conservation strip area and on slopes. Mr. Fisher suggested that it be a 10-foot wide vegetation conservation strip whether existing vegetation or re-vegetated with different required percentages of existing vegetation to be retained. Discussion followed on the definitions of different types of slopes. Mr.

Coughlin stated that 10-feet is not enough to protect bluffs. Mr. Katich stated that the current critical area ordinance based setback is equal to the height of the bluff. Mr. Atkins clarified that Item 3 in 6.7.2 applied to all environments and asked if anyone had a problem with the retention of 15% of the native vegetation and Mr. Fisher said he thought it should be 30% so that developed and undeveloped properties are the same. Mr. Coughlin and Mr. Coronado agreed that it should be consistent. Mr. Pasin said he had mixed feelings about it because he felt that if it was undisturbed it should be left that way as much as possible. It was agreed that it should say no more than 30 percent of the area with native shoreline vegetation shall be cleared within the marine vegetation conservation area or critical area buffer.

The Planning Commission then discussed item 3.a. It was decided that it should list the three areas where this item applied and that it should reference the 30% that could be cleared rather than 70% being retained. Mr. Fisher asked where the 3 trees came from and Mr. Katich said that it was from Kirkland. They then discussed ways to assure that trees were retained within the 30% in order to protect the bluff. Mr. Pasin suggested that all trees of a certain size have to be retained. Ms. Van Zwalenburg clarified that these regulations applied to the top of bank and everyone agreed. It was decided to remove the sentence, "A minimum of at least three (3) trees shall be retained for every 100 linear feet of shoreline frontage, with portions of a tree rounded up to the next required tree" and add the phrase "All mature trees more than 6" in diameter shall be retained". Mr. Fisher said that he felt that developed and undeveloped areas need to be addressed separately. Mr. Katich suggested that in Item 3 he could add "In undisturbed area containing" and then in Item 6 add, "In previously disturbed areas" and everyone agreed.

In number five it was suggested that it say "or other recognized guides" and everyone agreed as Ms. Van Zwalenburg indicated that there are several organizations that have lists of native plant lists.

Mr. Fisher stated that he didn't feel that caliper measurements were a standard measurement but rather gallon size and everyone agreed that commercial landscapers do measure things in caliper and it is the industry standard.

Discussion then followed on item 6.a. and Mr. Pasin stated that he felt there should be more than 3 trees per 100 feet of shoreline frontage. Mr. Fisher said he disagreed. Mr. Katich went over the approach he had taken to arrive at this number of trees and what other jurisdictions were doing. Mr. Atkins stated that he felt that perhaps in some areas 3 was enough but not enough in other areas. Mr. Coughlin agreed. Mr. Katich said that the City Waterfront and Historic Working Waterfront would have a 3 tree requirement while the Low Intensity Designation would be a higher requirement. Mr. Fisher noted that the Department of Ecology does not mandate the number of trees. He also voiced concern for bulkhead failure when trees are planted near the bulkhead. Mr. Atkins stated that he didn't have a problem with not requiring any trees in the City Waterfront designation. Mr. Coughlin said that he felt that Low Intensity should be in one category, City Waterfront and Historic Working Waterfront in another category and then Natural

and Urban Conservancy in a third category. Mr. Fisher noted that Low Intensity Designation had different areas that should be broken up. He felt that the Tacoma Narrows North portion of Low Intensity Designation should be with City Waterfront and Historic Working Waterfront. Mr. Katich added that the Finholm area of Low Intensity should also be added to this area. Mr. Dolan stated that he didn't see how they could not require any trees in some areas. Mr. Pasin suggested that perhaps they should go back to the way it's currently written as it's just simpler. Discussion continued on how it would be effective in the different areas. It was decided to retain the requirement for 3 trees per 100 lineal feet of shoreline frontage in all areas.

In item c Mr. Pasin noted that in the first sentence it should say may instead of shall and everyone agreed. Additionally he noted that the word applicant should be changed to property owner in item e.

Chairman Atkins called a 5 minute recess.

Discussion followed on pedestrian access and its definition and whether access trams fell within this definition. Mr. Coughlin noted that they were referenced in the definition for beach access structure. It was decided to add tram and stairway to item 7 on page 6-76.

Mr. Katich directed the Commission to the new hardship language he had developed for existing structures that are nonconforming to the minimum nonconforming structure setback requirement on page 6-13.

Mr. Dolan then asked the Commission if they were ready to make their final recommendation to the City Council. He noted that there will still be opportunities to make changes in the future as the Council completes their review. He stated that he had tentatively set up May 12th, 2011 for a joint study session meeting with the City Council and that they were on the Planning and Building Committee meeting agenda for May 2nd. The Commission read the draft recommendation.

Mr. Pasin said that in the end of the first paragraph there is an apostrophe "s" missing and in the next to the last paragraph perhaps city should not be capitalized. He then wondered about the last sentence and the subject of revisiting issues once the County has adopted their master program and whether this was actually practical. Discussion followed on different scenarios and how the changes could be made. Mr. Atkins suggested language to clarify that there may be differences between the two master programs.

Mr. Dolan stated that staff would send Mr. Atkins a word document so that he could write some language. Mr. Coughlin noted that at the end of the fourth paragraph it states that our goal was to meet the minimum requirements and wondered if that was their intent. Mr. Katich stated that the record reflected that this was the Commission's intent. Mr. Atkins suggested that it reference no net loss rather than the minimum. Everyone agreed and Mr. Atkins agreed to write this language as well. Mr. Atkins asked

about the third paragraph where it talks about the actual changes to the code language and said he would rather take that sentence out because the City Council knows they have to adopt code language.

MOTION: Move to recommend that the City Council adopt the draft Shoreline Master Program update including all the changes through the 21st of April and authorize the Chairman Harris Atkins sign the letter to the City Council. Fisher/Pasin – Motion carried 5-0.

It was noted that the next Commission meeting is May 5th, 2011. Mr. Atkins noted that he will be out of town on the 5th and 19th. Mr. Coughlin stated he would also be out of town on the 5th. Mr. Dolan noted that there will be a new Commission member starting on the 5th and that they will be going over the 2011 Comprehensive Plan Amendments. He then went over the different amendments being proposed.

Mr. Atkins thanked Ms. Van Zwalenburg for all the time she has spent helping the Commission with the update. Mr. Katich also recognized Carol Holmaas for her insight and involvement in this process as well. Ms. Holmaas praised the Commission for all their work.

Meeting was adjourned by acclamation.

Summary of 4.21.11 Meeting Outcomes:

1. Revise Section 6.7.2-Vegetation Conservation Strip/buffer area landscape requirements to address:
 - a. Additional revision of subsection 6.7.2.3 to allow a maximum of 30% clearing of native vegetation within the vegetation conservation strip/buffer area and lawn grass, pervious surfaces and fire pits allowed within the disturbed portion of the vegetation conservation strip/buffer area.
 - b. Revision of 6.7.2.3.a to specifically identify the SED's where the vegetation conservation strip or buffer area are measured from "top of bluff" (Natural, Urban Conservancy & Low Intensity SED's).
 - c. Revision of 6.7.2.3.a to allow a maximum of 30% clearing of native vegetation within the vegetation conservation strip/buffer area at top of bluff with 100% of native vegetation retention on adjacent steep slopes.
 - d. Revision of 6.7.2.3.a to allow a reduction of the required vegetation conservation strip/buffer area as measured from top of bluff to a minimum of 25 feet in width subject to the preparation of a Geotechnical Report that finds such a reduction will not adversely affect the stability of the adjacent steep slope.
 - e. Revision of 6.7.2.3.a to require the retention of all native trees within the vegetation conservation strip/buffer area greater than 6-inches in diameter measured 54-inches above grade.

- f. Revision to 6.7.2.3.a to require the retention of 100% of native vegetation on adjacent steep slope areas.
 - g. Revision to 6.7.2.3.a to allow lawn grass, pervious surfaces and fire pits within the disturbed portion of the vegetation conservation strip/buffer area.
 - h. Revision of 6.7.2.4.d to specifically define the SED's where the requirements apply (Natural, Urban Conservancy and Low Intensity SED's) that allow the reduction of the vegetation conservation strip/buffer area to a minimum of 25 feet in width subject to the preparation of a Geotechnical Report that finds such a reduction will not adversely affect the stability of adjacent steep slopes.
 - i. Revision of 6.7.2.4.d to require 100% retention of native vegetation on adjacent steep slopes.
 - j. Revision of 6.7.2.6 to address "other permitted beach access structures" that are allowed within the required vegetation conservation strip/buffer area and to allow six (6) foot wide pedestrian and public access pathways and other permitted beach access structures within the vegetation conservation strip/buffer area.
2. The Planning Commission voted 5-0 with one member absent to recommend the draft SMP to the City Council for review.