

**City of Gig Harbor Planning Commission
Work Study Session
December 16, 2010
Community Rooms A & B
4:00 pm**

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

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

CALL TO ORDER: at 4:00pm

WORK STUDY SESSION

Mr. Katich introduced Ms. Stanton who is the City of Gig Harbor's Historic Preservation Coordinator. She gave a presentation on the City's cultural resources and the importance of the adaptive reuse of net sheds. She asked that the Commission consider a designation of historic working waterfront for the net sheds in the Eddon Boat area. Discussion was held on the issue and Mr. Katich noted that input should be solicited on this topic at the next public hearing. Ms. Stanton went over the Department of Natural Resources (DNR) exceptional circumstance provision for net sheds on aquatic lands and Ms. Van Zwalenburg explained DNR's role in the review of the shoreline master program. Mr. Katich noted that the schedule may need to be revised in order to put together a proposal for the historic working waterfront. Possible incentives were discussed. It was decided that staff would bring proposed purpose, policy and regulatory language to a future meeting for review and discussion. Ms. Guernsey read a policy from the City Waterfront Designation section of the draft master program and stated that she felt that it fit this area; therefore, this additional designation wasn't needed. Discussion followed on what constitutes a working waterfront.

Chairman Atkins called a five minute recess.

APPROVAL OF MINUTES:

Mr. Atkins noted that clarification was needed on page three as to who was speaking. Mr. Atkins asked for clarification in the third paragraph on page four adding language that stated "that it seemed that there were quite a bit of public that attended", additionally he also said that he felt that the statement was really that staff was going to develop a schedule, not that the public hearing would be held in February. Also he wanted to add the discussion on the suggestion that the city plant an example of a vegetation conservation area at the city parks.

MOTION: Move to approve the minutes of December 9th as amended.
Guernsey/Fisher – motion carried.

Mr. Katich went over the map that he had distributed regarding the discussion on moving the line for parcels that are currently within the Urban Conservancy Designation. He noted that the City Waterfront Designation hadn't been aligned with the boundary of the Waterfront Commercial District zoning designation on the northerly side of the Donkey Creek area Urban Conservancy Designation. **Ms. Guernsey suggested that the line should go to the edge of the WC District so that it's consistent with the zoning and everyone agreed.**

They then discussed the Urban Conservancy Designation in the Purdy area and that there were portions of the B-2 pre-annexation zoning that are within 200 feet of the ordinary high water mark of the Purdy Creek Estuary. Mr. Katich went over the other commercial zones in the area. Mr. Dolan talked about the pre-annexation zoning in the area and the need to be aware of that zoning in relationship to the shoreline master program. Mr. Katich said that in the industrial levels I and II are permitted in the ED District so there may be a problem, and they may need to make those permitted in the Urban Conservancy Designation only in the Purdy area through a revision to the shoreline use matrix (Table 7-2), together with a footnote that would address that limitation. Mr. Dolan suggested that the footnote could also indicate that it's only for properties on the east side of Purdy Drive. **The Commission agreed with the proposed approach.** They then discussed the commercial uses in the B-2 area. Mr. Katich noted that since the B-2 District zoning allowed non-water oriented uses, the shoreline use matrix should also be revised to allow those uses with a footnote limiting such use to the Purdy area Urban Conservancy Designation. **The Commission also agreed with that proposed approach.**

They then decided to finish discussing the comments received at the public hearing.

The comments received from Dan Swain related to whether the draft shoreline master program met state requirements and staff had responded that they believed the draft met the requirements.

They then discussed Mr. Hansen's comments regarding aquaculture. Mr. Katich said that the staff response to Mr. Hansen's comments were inclusive of all other oral and written comments regarding aquaculture. Discussion followed on what Pierce County is doing with its aquaculture regulations and Ms. Van Zwahlenburg stated that this is a very controversial issue right now and it will take time to sort out. Mr. Dolan wondered if property owners don't want it and the industry does are we going to get appealed. Mr. Atkins noted that in the current draft the city is allowing it as a conditional use; the same approach that Pierce County is using. **Everyone agreed that it should stay that way until that County completes its master program update process.** Mr. Katich noted that if the city uses that approach, and the city completes its update process before the County's process is complete, the city could re-visit the issue and amend its aquaculture regulations consistently with the County's adopted regulations. Mr. Katich reviewed Mr. Hansen's other comments and discussion followed on the best way to communicate the

Planning Commission's response regarding his comments and those provided by the other parties. **Ms. Guernsey suggested adding a sentence to Mr. Katich' December 2, 2010 memo that states "that after review, the Planning Commission agrees with staff or the Planning Commission directed staff to make a requested change to the draft to address the comment," and everyone agreed.**

Laura Hendricks from the Sierra Club's comments were addressed next and it was determined that her concerns had been addressed in the previous discussion.

They then discussed Mike Elwell's comments regarding building size which is not a shoreline master program issue as maximum building size is addressed by the city's zoning code.

Mr. Long's comments were discussed next. He was concerned about whether he would be able to rebuild. Mr. Katich said that he believed that the changes that the Planning Commission had endorsed to the proposed nonconforming use and structure regulations in Section 8.11 addressed Mr. Long's concerns.

Mr. Katich then went over the written comments received and stated that most of the issues had been previously addressed. Discussion was held on the vegetation conservation area and that staff was developing a definition and examples for the Commission's review.

Mr. Katich discussed John Gilich's comments and his desire to allow commercial fishing and boat building along the waterfront. Mr. Katich felt that this had been properly addressed with the alignment of the zoning code and shoreline master program permitted use categories.

The Commission then discussed Tom Lovrovich's comments regarding creosote pilings. Mr. Lovrovich had expressed that he didn't see any reason for prohibiting creosote pilings. Mr. Katich noted that within the draft master program he had discovered two areas where the language still needed to be changed to remove references to creosote treated piling.

Guy Hoppen's comments were discussed next and his belief that the current draft master program weakened the goals of the previous master program. Mr. Atkins stated that most of Mr. Hoppen's comments will be addressed in the discussion regarding the possibility of a working waterfront designation. Mr. Katich noted that Mr. Hoppen was suggesting a cap on marinas, less of an emphasis on tourism and incentives for water dependent uses. He also noted that Mr. Hoppen had pointed out that in subsection 7.4.10 there is a provision that exempts moorage facilities that provide moorage for fishing vessels from the city's parking requirements and it needs to be revised to assure that the exemption is not for the entire marina, just for the fishing vessels. **Mr. Katich suggested that the Commissioners review his list of specific changes and decide if they are something they want to incorporate into the draft master program. Everyone agreed to review these and discuss them at the next meeting.**

Mr. Katich noted that there were comments received from the Department of Natural Resources indicating their support for the city's proposed net shed provisions but also noting the provisions in the state constitution regarding state owned tidelands that limit such lands to water dependent uses. Discussion followed on the exception process and developing language that reflects that.

The Department of Ecology comments were discussed next and Mr. Katich noted that these were just general comments at this time. Detailed comments will be received at a later date.

Mr. Katich noted that he is working on his response to Mr. Frisbie's comments and others not fully addressed as of yet.

The schedule for upcoming meetings was discussed.

Discussion was held on the possible Working Waterfront designation and it was decided that staff would develop a concept in order for the Planning Commission to make a decision. Mr. Dolan then went over the meeting with the consultants and their modification of the cumulative impact analysis. He noted that Jenn Kester will be doing a parcel by parcel analysis using GIS data that will help their understanding of existing nonconforming structures; how the city's proposed setback regulations from the OHWM allow for reconstruction of such structures; the effect of that reconstruction on existing ecological functions; and how such reconstruction would affect the conclusions of the draft cumulative impacts analysis.

Mr. Dolan thanked the Planning Commission for their hard work in 2010.

MOTION: Move to adjourn Coronado/Fisher. Motion carried.

Summary of 12.16.10 Meeting Outcomes:

1. In response to Dawn Stanton's presentation, the Commission directed staff to develop draft purpose, policy, regulation and incentive language for a potential Historic Working Waterfront environmental designation. The Commission will then consider the merits of such an approach at one of its work study sessions in January, 2011.
2. The Commission directed staff to revise the boundary of the proposed Finholm area City Waterfront designation to align with the southwesterly boundary of the underlying WC District zoning designation.
3. Revise subsection 7.1.1 (Shoreline Use Matrix Table 7-2) to allow Industrial level 1 & 2 uses within the Urban Conservancy designation east of Purdy

Drive only (the Urban Conservancy area north of SR-302 extended to the east)

4. Revise subsection 7.1.1 (Shoreline Use Matrix Table 7-2) to allow non-water oriented uses within the Purdy Area Urban Conservancy designation (the Urban Conservancy area north of SR 302 extended to the east).
5. The Commission directed staff to modify the December 2, 2010 memorandum that addresses all oral and written public comments submitted on the November 4, 2010 draft master program by including the Commission's response to the issues addressed by the comments.
6. The Commission directed staff to remove the two remaining references to the draft language that prohibited the use of creosote treated piling and replace it with the same language promoted by the DOE master program guidelines for such a development activity.
7. The Commission agreed to review Guy Hoppens' letter regarding the November 4, 2010 draft master program, and his requested revisions to the draft, and be prepared to address them at the January 6, 2011 meeting.