

GIG HARBOR CITY COUNCIL MEETING

MARCH 23, 1992

7:00 p.m., City Hall Council Chambers



AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
MARCH 23, 1992

PUBLIC COMMENT/DISCUSSION:

CALL TO ORDER:

PUBLIC HEARINGS:

1. ANX 91-01 (Hoover Road Annexation); Resolution for acceptance of Annexation Petition.

APPROVAL OF MINUTES:

CORRESPONDENCE:

1. PUMA request for brass ensemble at Jerisich Park.
2. WSDOT final report on SR16 Capacity Study.
3. AWC review of recent activities.
4. Draft Strategic Plan for the Tacoma-Pierce County Health Department.
5. Pierce County Determination of Significance regarding proposed Pierce County Transportation Plan.
6. Pierce County notice of meeting to adopt ordinance pertaining to "Fish and Wildlife Habitat Areas".

OLD BUSINESS:

1. SDP89-03: Stanich Dock Moorage - Shoreline Permit Application (Ellsworth/Thornhill).

NEW BUSINESS:

1. Reconsideration and revision of Urban Growth Area.
2. Addendum to Canterwood sewer extension agreement.
3. Addendum to STP expansion agreement.
4. Addendum to INCA Engineers contract regarding Soundview Drive.
5. Renewal of liquor licenses.

DEPARTMENT MANAGERS' REPORTS:

1. Public Works.

COUNCIL COMMITTEE REPORTS: None scheduled.

MAYOR'S REPORT:

1. Representation at Puget Sound Regional Council.

ANNOUNCEMENTS OF OTHER MEETINGS:

APPROVAL OF BILLS:

Warrants # through # in the amount of \$.

EXECUTIVE SESSION:

1. Finance Officer employment agreement.

ADJOURN:



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND COUNCILMEMBERS
FROM: ~~RAY~~ RAY GILMORE, PLANNING DIRECTOR
DATE: MARCH 18, 1992
SUBJECT: ANNEXATION 91-01 (HOOVER ROAD ANNEXATION)
JAMES RICHARDSON

Attached for your consideration is a resolution for the acceptance of a notice of intent to annex approximately 53 acres of land west of the city, south of Rosedale and north of Hoover Road. A petition bearing the signatures of the owners of 76% of the assessed evaluation in the annexation area is included.

The area would be designated R-1 (single family residential) and would be designated as within a height overlay district under the City Zoning Code. Upon completion of the review by the Pierce County Boundary Review Board, an ordinance for adoption of the annexation will be introduced for Council approval.

CITY OF GIG HARBOR

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR ACCEPTING THE ANNEXATION PETITION FOR THE AREA KNOWN AS THE HOOVER ROAD ANNEXATION (ANX 91-01) AND AS SUBMITTED BY PETITIONERS JAMES RICHARDSON, ET.AL., AND ENTERS AN INTENT TO APPROVE AND REFERRING THE PETITION TO THE PIERCE COUNTY BOUNDARY REVIEW BOARD.

WHEREAS, on February 27, 1992, a petition for annexation of approximately 53 acres was submitted for the property lying south of Rosedale Street, east of 54th Avenue NW, north of Hoover Road and west of North Creek Estates subdivision; and,

WHEREAS, the petition which has been certified by the City Administrator as legally sufficient containing the signatures of not less than 60% of the owners of assessed evaluation and the legal description of the subject property are attached to this resolution and made a part hereto; and,

WHEREAS, such annexation proposal is within the Urban Area Boundary as defined in the Urban Area Agreement of September, 1987, between Pierce County and the City of Gig Harbor; and,

WHEREAS, such annexation proposal is within the future potential annexation area as defined by the City of Gig Harbor; and

WHEREAS, on the 28th of October, 1991, the City Council met with the initiating party during regular session of the Council; and,

WHEREAS, at that time the Council set forth the requirements placed on the petitioner wishing to annex as follows:

1. Assumption by the property owners their portion of the City of Gig Harbor's indebtedness;
2. The area shall be zoned as single family residential (R-1) and designated as within the height overlay district, subject to the City of Gig Harbor Zoning Code, Title 17 of the Gig Harbor Municipal Code;

WHEREAS, on March 6, 1992 a determination of non-significance was issued for the proposal, based upon a review of the environmental documents submitted by the petitioner, in accordance with the City of Gig Harbor Environmental Policy Ordinance, Title 18 of the Gig Harbor Municipal Code;; and,

WHEREAS, at the public hearing of March 23rd, 1991, the City Council does hereby declare its intent to authorize and approve said annexation, and to accept same as a part of the City of Gig Harbor; and,

WHEREAS, the City Council shall comply with the procedural requirements of RCW 35A.14 to the conclusion of this annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR:

Section 1. The City Council of the City of Gig Harbor does hereby declare its intent to authorize and approve the annexation and to accept the subject property as part of the City of Gig Harbor with the following requirements:

1. Assumption by the property owners their portion of the City of Gig Harbor's indebtedness.
2. The area shall be zoned as single family residential (R-1) and designated as within the height overlay district, subject to the City of Gig Harbor Zoning Code, Title 17 of the Gig Harbor Municipal Code.

Section 2. The City Clerk of the City of Gig Harbor hereby declares the annexation petition contiguous with the boundaries of the City of Gig Harbor and said property which is more particularly described in the petition which is marked Exhibit "A" and which is made a part hereto. The City Council does refer the petition and petitioner to the Pierce County Boundary Review Board for approval of the annexation and the City Council shall not take any further action on the annexation proposal until such time the Pierce County Boundary Review Board has completed its review of the notice of intent to annex.

PASSED AND APPROVED, at the regularly scheduled City Council meeting of on the 23rd day of March, 1992.

page 3

Gretchen Wilbert, Mayor

ATTEST:

Mark E. Hoppen, City Administrator

Filed with City Clerk: _____

Passed by City Council: _____

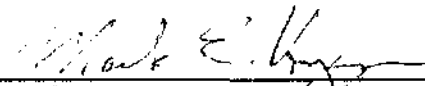
CERTIFICATION OF 60% ANNEXATION PETITION

I, Mark E. Hoppen, City Administrator/Clerk of the City of Gig Harbor, Washington, a municipal code city, do hereby certify that I received on February 28, 1992, the final group of 60% Annexation petitions for an area identified as the Hoover Road Annexation. On March 5, 1992, I proceeded to make a determination of sufficiency of such petitions for annexation.

The petitions contained 14 signatures from owners of 18 parcels of property, and 14 of those signatures were verified by comparing them with the Pierce County Assessor's property tax records. The assessed valuation of the area based on the most recent Pierce County property assessments rolls, with the exception of no parcels, is \$697,600.

The assessed valuation of signatures represents \$530,300 or 76% of the total assessed valuation. The signatures, therefore, constitute more than the required 60%, which figure would be \$418,560.

Signed and sealed this 5th day
of March, 1992.



Mark E. Hoppen
City Administrator/Clerk
City of Gig Harbor

SEAL

ANX 91-01
EXHIBIT "A"

THORNTON LAND SURVEYING, INC.

P. O. Box 249
GIG HARBOR, WASHINGTON 98335



BUSINESS .. 1-206-858-8106
FAX 1-206-858-7466

JANUARY 17, 1992

A VARIANCE MAY EXIST BETWEEN ALIQUOT PARTS OF A SECTION AND GOVERNMENT LOTS, PRIOR TO ANY SURVEYING AND/OR PLATTING IN REGARDS TO THE FOLLOWING DESCRIPTION A THOROUGH TITLE SEARCH IS RECOMMENDED.

A portion of the northwest 1/4 of Section 7, T.21 N., R.2 E., W.M., Pierce County, WA: more particularly described as follows;

BEGINNING at the West 1/4 corner of said Section 7;

thence northerly along the West boundary of said northwest 1/4 of Section 7 to a point on the southerly right of way boundary of Rosedale St. N.W.;

thence easterly along said southerly right of way boundary to a point on the East boundary of the northwest 1/4 of the northwest 1/4 of the northwest 1/4 (A.F.N.9112260628) of said Section 7;

thence southerly along said East boundary to the northwest corner of the west 1/2 of the southeast 1/4 of the northwest 1/4 of the northwest 1/4 (A.F.N. 8306010090) of said Section 7;

thence easterly and leaving said East boundary along the North boundary (A.F.N. 8306010090) of the west 1/2 of the southeast 1/4 of the northwest 1/4 of the northwest 1/4 of Section 7 to the northeast corner (A.F.N. 8306010090) of said west 1/2 of the southeast 1/4 of the northwest 1/4 of the northwest 1/4 of said Section 7;

thence southerly and leaving said North boundary along the East boundary of said West 1/2 of the southeast 1/4 of the northwest 1/4 of the northeast 1/4 to the southeast corner (A.F.N. 8306010090) of said west 1/2 of the southeast 1/4 of the northwest 1/4 of the northwest 1/4 of said Section 7;

JANUARY 17, 1992

thence westerly and leaving said East boundary along the South boundary (A.F.N. 8306010090) of said west 1/2 of the southeast 1/4 of the northwest 1/4 of the northwest 1/4 to the northwest corner of Lot 1 of Pierce Co. Short Plat No. 77-188 (said point also being the northeast corner of Pierce Co. Short Plat No. 78-903);

thence southerly and leaving said South boundary along the West boundary of Pierce Co. Short Plat No. 77-188 to the southwest corner of Lot 2 of said Short Plat said point also being the northwest corner of Lot 3 of said Short Plat;

thence easterly and leaving said West boundary along the South boundary of said Lot 2 to the southeast corner thereof;

thence southerly and leaving said South boundary along the East boundary of Lot 3 of Pierce Co. Short Plat No. 77-188 to the northeast corner of Lot 4 of Survey No. 1636 as recorded in Volume 17 of Surveys at page 30 records of Pierce Co. Auditor;

thence southerly along the East boundary of said Lot 4 to the southeast corner thereof;

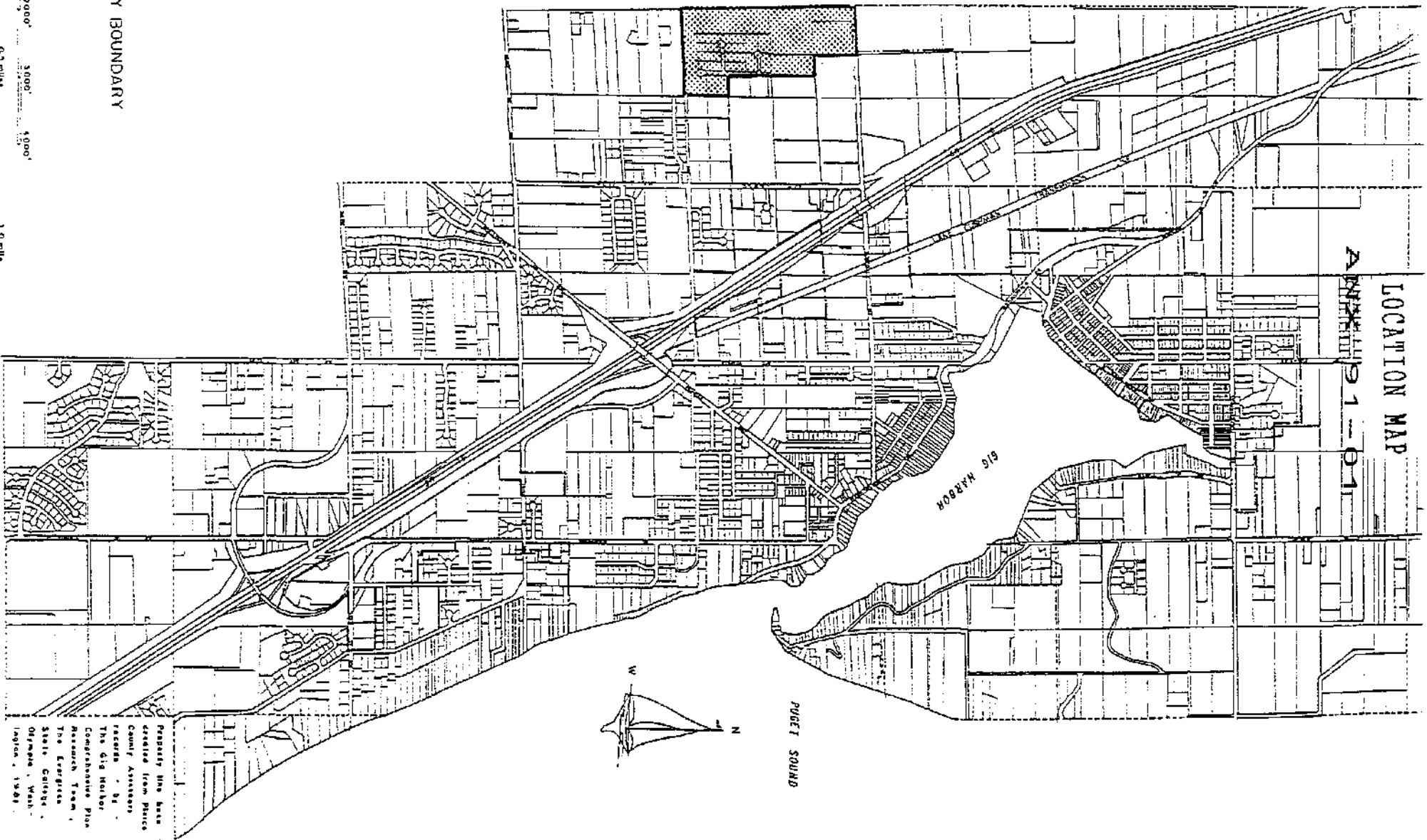
thence westerly and leaving said East boundary along the South boundary of said Lot 4 to the southwest corner thereof, also being the southeast corner of the west 1/2 of the west 1/2 of the southwest 1/4 of the northwest 1/4 of said Section 7;

thence westerly along the South boundary of said west 1/2 of the west 1/2 of the southwest 1/4 of the northwest 1/4 to the West 1/4 corner of said Section 7, T.21N., R. 2 E., W.M., Pierce Co., Washington, the POINT OF BEGINNING.

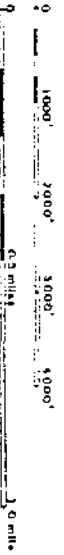
Note: This description was written from existing recorded deeds which describe parcels as being a portion of the northwest 1/4 of the northwest 1/4 of section 7, T. 21 N., R.2 E., W.M., however the GLO plat shows un-numbered Gov't lots along the West boundary of said section 7 which may affect the boundaries of said parcels when surveyed.

LOCATION MAP

AMERICAN 1-01



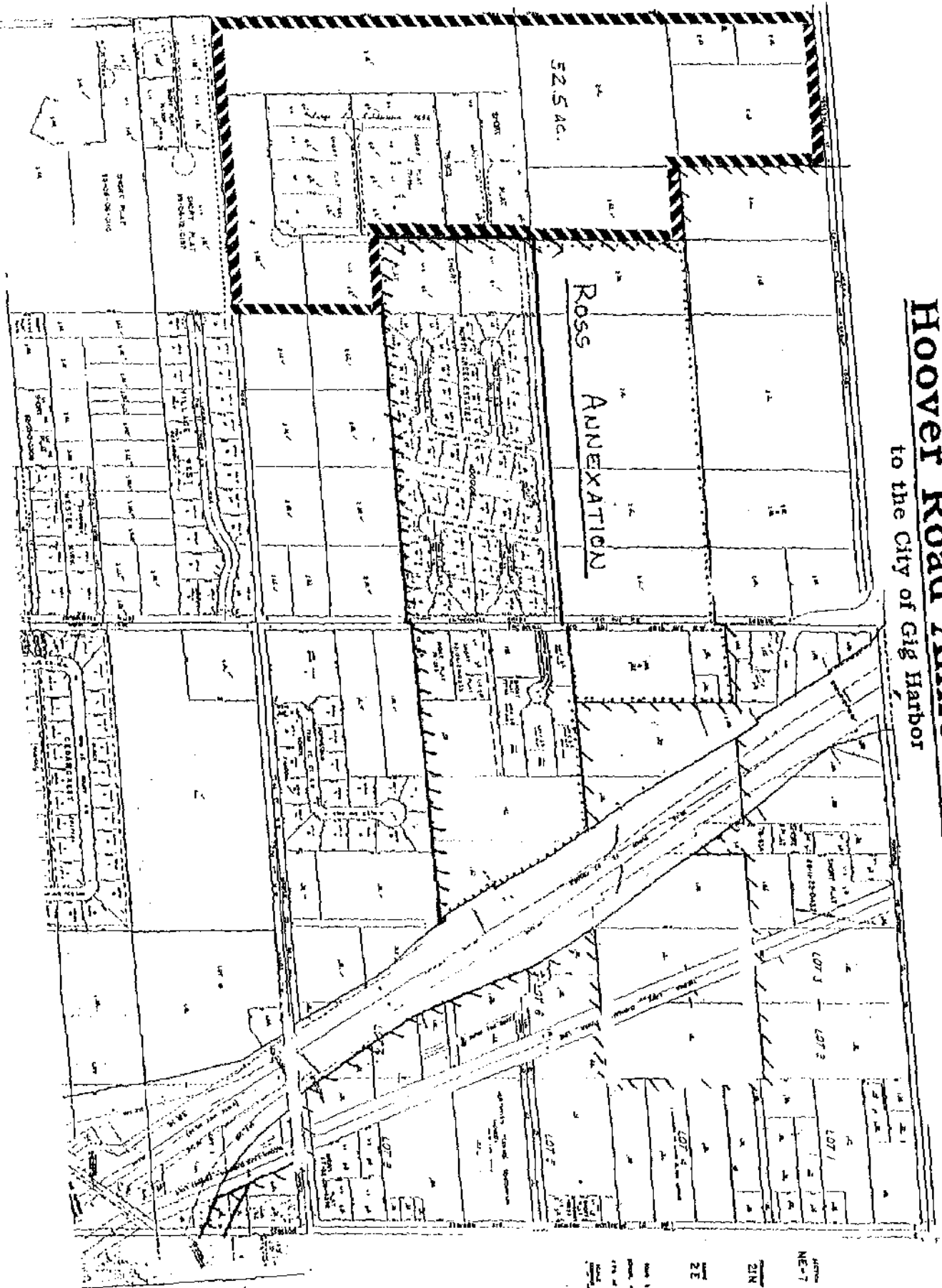
CITY BOUNDARY



Property line have
created from Plans
County Assessor
Records - 91
The Big Harbor
Comprehensive Plan
Research Team,
The Evergreen
State College,
Olympic, Wash.
Region, 1981

Hoover Road Annexation to the City of Gig Harbor

1 inch = 400 feet



APPROX
NE-7
21N
2E

February 27, 1992

Subdivision Development & Design, Inc.
8811 Harborview Drive
Gig Harbor, WA 98335 (851-6451)

Mayor and City Council
City of Gig Harbor
3105 Judson Street
Gig Harbor, WA 98335

RE: Hoover Road Annexation
(60% petition request)

Dear Mayor and Council Members;

The Hoover Road Annexation has been reduced in scope to exclude those properties which failed to support the original annexation request. The annexation area now encompasses 52.5 acres and the petitions still on file with the City represent 76% of the total assessed value within the revised annexation area.

The proposed City boundary still represents a uniform and reasonable boundary which falls within the City's area of influence. The petitioners respectfully request that the revised Hoover Road Annexation be accepted by the City Council and forwarded to the Boundary Review Board for their consideration.

Yours in anticipation,



James Richardson

<u>Parcel Number</u>	<u>Owner Name</u>	<u>Owner Address</u>	<u>Assessed Value</u> (1991)	<u>Legal Description</u>
✓ 02-21-07-2-039 ✓ 02-21-07-2-025 ✓ 02-21-07-2-023	* Lawrence & Margaret Spadoni	5322 Rosedale Street NW	\$100,000.00	West 220' of NW1/4 of NW 1/4 of NW 1/4 of Section 7, T 21 N, R 2 EWM.
✓ 02-21-07-6-004 ✓ 02-21-07-6-005 ✓ 02-21-07-6-006 ✓ 02-21-07-6-007	*Warren M. & Dianne L. Crum	PO Box #161	\$100,500.00	Lots 1, 2, 3, & 4 of Short Plat #77-886.
✓ 02-21-07-6-008 ✓ 02-21-07-6-009 ✓ 02-21-07-6-010 ✓ 02-21-07-6-011	*Gary Dreyer	XXXXXXXXXXXXXXXXXX	\$100,500.00	Lots 1, 2, 3, & 4 of Short Plat #77-894.
✓ 02-21-07-6-003 ✓ 02-21-07-6-012 ✓ 02-21-07-6-013 ✓ 02-21-07-6-014 ✓ 02-21-07-6-015	*Roland E. & Shirley Whitney	7228 - 46th Avenue NW	\$130,700.00	Lot 3 of Short Plat #77-188; and Lots 1, 2, 3, & 4 of Short Plat #78-903.
✓ 02-21-07-2-009 ✓ 02-21-07-2-010	*Emmy & Pat Rainwater	1221 So. Steele Tacoma, WA 98444	\$157,700.00	SW1/4 of NW 1/4 of NW 1/4 of Section 7, T 21 N, R 2 EWM.
02-21-07-2-013	Matthew Chan	31849 Pacific Hwy So. #169 Federal Way, WA 98003	\$23,900.00	NW1/4 of NW 1/4 of NW 1/4 of Section 7, T 21 N, R 2 EWM; EXCEPT West 220'.
✓ 02-21-07-2-033	*Edith & Douglas Harlow	4020 Brouse Blvd. West Tacoma, WA 98466	\$40,500.00	W1/2 of of SE 1/4 of NW 1/4 of NW 1/4 of Section 7, T 21 N, R 2 EWM'.
02-21-07-2-044	William D. Schuchardt	PSC Box 676 APO-New York 09223	\$43,800.00	Lot 4 of P.C. Large Lot Division #1636.

* denotes having signed
in favor of annexation.

TOTAL A.V. =
\$697,600.00

SIGNED = **\$530,300**

(76%)

60% ANNEXATION PETITION

to

THE CITY OF GIG HARBOR, WASHINGTON

**TO THE HONORABLE MAYOR AND CITY COUNCIL
OF THE CITY OF GIG HARBOR, WASHINGTON.**

We, the undersigned, being the owners of not less than one-hundred percent (60%) of the assessed value of the real property herein described and lying contiguous to the City of Gig Harbor, Washington, do hereby petition that such territory be annexed to the City of Gig Harbor under the provisions of Chapter 128, Laws of 1945 (RCW 35A.14.120, et seq), and any such amendments thereto, of the State of Washington.

The territory proposed to be annexed is located within Pierce County, Washington, the boundaries of which are outlined on the official Assessors' map accompanying this petition. The complete legal description of the annexation area is also attached.

The petitioners request that the City Council of the City of Gig Harbor meet with the initiating parties at the next available Council meeting and determine that the City would accept the proposed annexation. At said meeting the City Council should also determine that:

- 1) The area proposed to be annexed is adequately covered by the City's adopted Comprehensive Land Use Plan.
- 2) The area proposed to be annexed would be brought into the City under the existing R-1 zoning classification.

Wherefore the undersigned petition the Honorable City Council and ask:

a) That appropriate action be taken to entertain this petition, fixing a date for a public hearing, causing notice to be published and posted, specifying the time and place of such hearing, and inviting all persons interested to appear and voice approval or disapproval of such annexation; and

b) That following such hearing and subsequent to the review and approval of the Pierce County Boundary Review Board, the City Council determine by ordinance that such annexation shall be made, annexing the above described territory, and declaring the date whereon such annexation shall be effective; and that the property so annexed shall become a part of the City of Gig Harbor, Washington, subject to its laws and ordinances as then and thereafter in force.

The petitioners subscribing hereto agree that all property within the territory sought to be annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Gig Harbor, including assessments or taxes in payment of any bonds issued or debts contracted prior to or existing at the date of annexation.

**Signature and
Address of Petitioner**

Assessor Parcel Number

Legal Description

1) <u>Pat Rasmussen</u> <u>12211 5th Ave SE</u> <u>20040 6th St SW</u>	02-21-07-2-009 2-010	See attached.
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60% ANNEXATION PETITION

to

THE CITY OF GIG HARBOR, WASHINGTON

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<u>Signature and Address of Petitioner</u>	<u>Assessor Parcel Number</u>	<u>Legal Description</u>
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1) <u>Ernest J. Onslow Tru.</u> <u>Thomas Jones</u> <u>Jacquelyn Jones</u>	022107-6-001 WITHIN CITY LIMITS (ROSS ANNEXATION)	See attached.
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60% ANNEXATION PETITION

to

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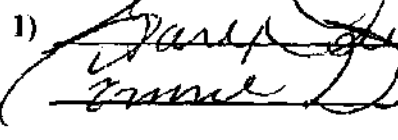
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<u>Signature and Address of Petitioner</u>	<u>Assessor Parcel Number</u>	<u>Legal Description</u>
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1) 	022107-6-008 -009, -010, -011	See attached.
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60% ANNEXATION PETITION

to

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Signature and

Address of Petitioner

Assessor Parcel Number

Legal Description

<input checked="" type="checkbox"/> <u>John S. McCaul</u>	<u>Mae Jewell McCaul</u>	See attached.
<input checked="" type="checkbox"/> <u>1510 SE Solomon Loop</u>	<u>R02-21-07-6-014</u>	
<input checked="" type="checkbox"/> <u>Vancouver, WA 98684</u>	<u>R02-21-07-6-015</u>	

60% ANNEXATION PETITION

to

THE CITY OF GIG HARBOR, WASHINGTON

**TO THE HONORABLE MAYOR AND CITY COUNCIL
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Signature and

Address of Petitioner

Assessor Parcel Number

Legal Description

- 1) Douglas R Harlow 02-21-07-2-033 See attached.
4020 Brown Blvd W.
Tacoma, Wa. 98466.
Phone # 565-3591

60% ANNEXATION PETITION

to

THE CITY OF GIG HARBOR, WASHINGTON

**TO THE HONORABLE MAYOR AND CITY COUNCIL
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<u>Signature and Address of Petitioner</u>	<u>Assessor Parcel Number</u>	<u>Legal Description</u>
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1) <u>Lawrence A Spadoni</u> <u>Margaret M Spadoni</u> <u>5352 Rosedale St NW</u> <u>Gig Harbor WA 98335</u>	<u>02-21-07-2-023</u> 2-025 2-039	See attached.
---	---	---------------

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MARCH 9, 1992

PRESENT: All present.

PUBLIC COMMENT/DISCUSSION:

1. John Fairbanks expressed concern regarding a site up from Jerisich Park on Rosedale that utilized ASARCO slag for fill 8-10 years ago. He has performed water analysis tests and found heavy metals prevalent. He has asked the city for help in this potentially dangerous situation.
2. Mr. Fairbanks' second concern was the open trash burning in the city, and suggested an ordinance be drafted to enable the fire marshal to monitor burning.
3. Mr. Fairbanks' third concern was the invasion of his privacy by the sound system of the Baptist Church.

CALL TO ORDER: 7:25 p.m.

MINUTES:

MOTION: To approve the minutes of the meeting of February 24, 1992.
English/Frisbie - unanimously approved.

Councilmember Frisbie requested explanation of Item 4, page 4, why City / County zoning agreements did not seem to be in effect in the used car lot project.

OLD BUSINESS: There was no old business.

NEW BUSINESS:

1. Professional Services Contract - Comprehensive Sewer Plan.
Public Works Director Ben Yazici presented the contract with Consouer, Townsend & Associates. He explained revisions to the contract brought about by Councilman Frisbie.

MOTION: To approve the revised contract.
English/Frisbie - unanimously approved.

2. WIC Contract Renewal.

City Administrator Mark Hoppen presented the contract and explained the change in clause for indemnity language proposed by legal counsel.

Councilman Frisbie requested information regarding custodial arrangements. Mayor Wilbert informed Council that arrangements for custodial services were being handled by the Chamber of Commerce.

MOTION: To approve the renewal of the WIC contract with new language.
Platt/Markovich - unanimously approved.

3. Resolution Updating Police Clerk Job Description.
Administrator Mark Hoppen presented the description change.

MOTION: To approve updated police clerk job description.
No second.

Councilmember Frisbie requested a zero-based budgeting study be done on the police department clerical staff and a report on the municipal department. Councilman English asked that the statutory foundation for the court system be included.

Mr. Hoppen agreed to compile a cost/benefit report.

MOTION: Approval to make changes to classification of the police clerk position.
Stevens-Taylor - Motion carried 4-1,
Councilmember Frisbie opposed.

4. Prosecutor Employment Agreement.

Mr. Hoppen presented the proposed contract for additional hours with Gerald Johnson.

MOTION: To approve the contract with Gerald Johnson as discussed.
Frisbie/English - unanimously approved.

5. Renewal of Liquor Licenses. No action required.

6. Change of Officers - Uddenberg Liquor License. No action required.
7. Proposed Cap on Purchases Before Being Put to Bid. Councilmember Platt suggested that purchases over \$5000 be put out to bid.

Councilmember Frisbie suggested a less formal format be assumed for purchases between \$5,000 - \$25,000. Suggestion was made that two or three phone or faxed quotes be taken for items under \$25,000.

Mr. Yazici explained that this process was currently in place and how it was utilized during the process to purchase the new AutoCad system.

Councilmember Markovich pointed out that the budgetary review process was protection, and Councilmember Frisbie agreed but suggested written policy as a guideline for future purchases.

Mr. Hoppen will write a resolution to that effect.

DEPARTMENT MANAGERS' REPORTS:
Police Department.

Chief Denny Richards presented a report on local "keg parties" and showed examples of contraband confiscated in routine car checks. The new DARE buttons were then distributed to Councilmembers.

Councilmember Frisbie requested a future breakdown on Service Calls.

Public Works.

Mr. Yazici reported that he and Mr. Hoppen had arranged with Kitsap Landfill to dispose of the city's sludge on a temporary basis, which contributed to a renegotiation of a contract with N.W. Cascade.

Mr. Yazici then reported that the Facilities Plan would be done by Gray & Osborne Engineers at no additional cost to the city. They were able to obtain the information needed for the facilities plan from the engineering report information they already compiled.

The third item Mr. Yazici discussed was the current

number of requests for street vacations. Administrator Hoppen and he discussed the possibility of an resolution halting any street vacations until the Comprehensive Transportation and Comprehensive Sewer Plans were completed.

Councilmembers English and Steven-Taylor agreed this may be a good idea, and Councilmember Frisbie requested a time frame for when the two comprehensive plans be completed.

Mr. Yazici stated the sewer plan should be in place no later than September 1, 1992 and the transportation plan would be completed the beginning of 1993.

Councilman Markovich suggested each vacation be handled on a case by case basis, and Councilman Frisbie offered the suggestion of using strong language to discourage applicants until a later date.

No motion taken.

COUNCIL COMMITTEE REPORTS:

Councilmember Frisbie requested if any follow-up correspondence from Tom Morfee and the PNA had been obtained regarding the East-West Road. After discussion, Mayor Wilbert agreed to obtain documentation from Mr. Morfee with his assurance that PNA wouldn't oppose the East-West Road section that would connect SR-16 and Peacock Hill.

Mr. Yazici informed Councilmembers that the newly released Department of Transportation Draft Comprehensive Plan placed the East-West Road from SR-16 through to Crescent Valley Drive, was classified as a "high priority" project.

MAYOR'S REPORT:

Mayor Wilbert shared that she'd reviewed the Public Works Department's new AutoCad system. Mr. Yazici announced Mr. Willy Hendrickson's employment and his qualifications as an AutoCad operator.

Mayor Wilbert announced that Mr. Tom Enlow, the city's new Finance Director, would begin work Friday the 13th of March.

APPROVAL OF PAYROLL:

MOTION: To authorize payment of warrants #6782 through #6872 in the amount of \$119,244.78. Platt/English - unanimously approved.

BILLS:

Councilman Platt indicated an error in the warrants. The check numbers on the printout didn't match the warrants request, due to a jam in the printer.

MOTION: To authorize payment of warrants #8539 through #8620, less warrants 8549 - 8553, in the amount of \$79,859.12. Frisbie/Markovich - unanimously approved.

ADJOURN:

MOTION: To adjourn at 8:41 p.m. Frisbie/Platt - unanimously approved.

Cassette recorder utilized.
Tape 271 Side A 194 - end
Side B 000 - end
Tape 272 Side A 000 - 330

Mayor



March -18, 1992

Gretchen:

A couple of notes:

At our last board meeting, Helen Copeland and Shirley Dearth expressed interest in hearing a brass ensemble in Jeresich Park this summer.

I called Tom Cunningham at Pierce County Arts, and they agreed to finance and send out a group, probably Evergreen Brass. (They are also sending Tacoma Symphony to Canterwood on July 22nd as a POPS IN THE PARK program).

Shirley and I thought a Saturday afternoon the best for the brass ensemble, when we would have optimum audience in the park and along the docks. Tom suggested 4 p.m. when the sun is not too high. We need to assure Pierce County Arts of an electrical hookup in the park.

The three Saturdays I see free on the Chamber calendar are: July 25, August 1, and August 15. Would any of these dates be acceptable to City Hall? I need to give possible dates to Pierce County Arts.

Also thought you might like to know PUMA has contracted to have the Vela Luka Dance Group back with new costumes and a new routine in January or February, 1993, to open our spring series.

Cordially,


Sonya Evans

Telephone: 265-2466



**Washington State
Department of Transportation**

Duane Berentson
Secretary of Transportation

District 3 Headquarters

5720 Capitol Boulevard, Tumwater
P.O. Box 47440
Olympia, WA 98504-7440
(206) 357-2600

February 26, 1992

Gretchen Wilbert
8825 N. Harborview, #8
Gig Harbor, WA 98332

**SR 16 Capacity Study
Final Report**

Dear Ms. Wilbert:

The Final Report for the SR 16 Capacity Study which was prepared for WSDOT by H.W. Lochner, Inc. is complete and copies have been provided to the Pierce County Peninsula Branch Library in Gig Harbor for your use. This report represents the combined, cooperative effort by the general public, local agencies and the Department of Transportation. Input from all was considered through-out the analysis of this transportation corridor in an attempt to fulfill the expressed needs of everyone impacted in the area either as a daily commuter or traveler through on their way to the Olympic Peninsula and associated recreational opportunities which lay beyond the immediate study area.

We would like to take this opportunity to thank you for your participation in this study and hope that it has been as positive an experience for you as it was for us. A project of this complexity needs input from as many entities as possible to be successful.

The purpose of this study was to identify and prioritize the improvements needed to enable SR 16, from the Jackson Avenue Interchange to the Burnham Drive Interchange, to safely and adequately fulfill its future role in the transportation system for this area.

Recommendations made by this report are already being inserted into future schedules and funding programs.

SHORT DURATION PROJECTS:

Olympic Interchange

An estimate has been put together for the coordination of the signal system on Olympic Boulevard and is being presented to the local agencies for funding participation.

The recommended new signage at the Olympic Village entrance will be installed by our departmental forces as soon as it can be scheduled.

Pioneer Interchange

This project is in the budget and has a tentative ad date of February 1994.

Jackson Avenue Interchange

The recommendation to install traffic barrier as a traffic merging control measure is being evaluated for feasibility.

MEDIUM DURATION PROJECTS:

Olympic Interchange

The major improvements to this interchange have been put together as a TIP (Transportation Improvement Project) and rely on local agency participation. Some engineering funds have been set up by WSDOT and preliminary work is underway. Tentative ad date which depends on funding is currently set for March 1994.

LONG DURATION PROJECTS:

Narrows Interchange

A funding request has been made for the EIS portion of this project in the upcoming 93-95 biennium.

The remainder of the projects identified by this study will be incorporated into future budget requests and as funding is allocated to each project it will be added to future project schedules.

Once again thank you to for your help, everyone involved was instrumental in making this project a success.

If you have any questions or comments, please contact me at 357-2630.

Sincerely,

A handwritten signature in cursive script that reads "Paula J. Hammond".

PAULA J. HAMMOND, P.E.
Transportation Planning Engineer
District 3

PJCH:drs

DRS

cc: Zanna Olson



March 4, 1992

Mayor Gretchen Wilbert
City of Gig Harbor
P.O. Box 145
Gig Harbor, WA 98335

Dear Mayor Wilbert and Councilmembers:

The AWC Board of Directors met on February 5, during the Association of Washington Cities (AWC) City Legislative Action Conference. At that time we reviewed this practice of sending these letters to you outlining recent Board meetings and AWC activities. The Board noted this practice appeared to be quite beneficial for you and decided to continue sending these informational letters. The Board also discussed the following issues.

Lawsuit Regarding Model Wetlands Ordinance

A number of cities, most of which are planning under the Growth Management Act, have been sued by the Home Builders Association for using or considering the use of a model wetlands ordinance prepared by the Department of Ecology. The Home Builders Association also named Washington State and the Department of Ecology (DOE) in their lawsuit. The AWC Board decided it was appropriate for cities to have a unified and consistent response to this lawsuit. We instructed the AWC staff to serve as an information broker and coordinator of activities between city attorneys involved in the lawsuit. If your city has been sued and your city attorney has prepared a response or is about to prepare a response please contact the AWC staff in order to obtain information on actions taken by other city attorneys or inform us of your response.

AWC's 1992 Workplan Calendars

As reported in my last letter to you, the Board reviewed AWC's 1992 Workplan in conjunction with the adoption of AWC's 1992 budget. We reviewed specific 1992 Workplan calendars outlining the activities of the Association for the remainder of 1992 during our last meeting. The Workplan is fairly aggressive in terms of reviewing a number of our current practices including our methods of training and communicating. Staff has already conducted a training survey and will soon send out a publications survey. Thank you for your positive response on the training survey. We have an excellent program put together for 1992 including the production of videos we will loan and sell. We understand how busy you are and filling out another survey is often not on the top of your priority list. However, the Board noted the best means of obtaining information on what you truly need is a result of direct contact with you. Please try to respond to the publications survey and other requests for information. Our intent is to produce products and services that truly meet your needs.

Update on the 1992 Legislative Session

The City Legislative Action Conference held in Olympia on February 5 - 6 attracted over 320 city officials. The purpose of this conference was to update city officials on legislation impacting cities and then have city officials meet with legislators in their offices in Olympia to discuss these issues. The conference was a success in terms of city participation and attendance by legislators during the Wednesday evening reception. Legislative attendance during the Thursday luncheon was not as high but did include presentations by leadership from both the Senate and House. The conference was also a success in terms of city contacts with legislators. It is clear our efforts during the conference killed bad bills and helped promote good city legislation.

As expected, the 1992 Legislative Session has turned out to be primarily a defensive session for cities and towns. Although the recent revenue projections indicated an increase in State revenues from previous projections, the State is still short approximately \$750 million. AWC has spent a good deal of time defending city and town interests in terms of potential budget reductions, including a drastic reduction in growth management monies to local governments outlined in the original Senate budget. As the session draws to a close, city contacts are very important. Please refer to the most recent Legislative Bulletin for the latest legislative information and contact your legislators on issues of concern to cities and towns. Our efforts greatly enhance the success of AWC.

AWC's 1992 Convention

AWC's 1992 Convention will be held in Bellevue June 16 - 19. Please mark your calendars. Registration information will be sent to you in April. AWC will also send out information in late March or early April soliciting interested individuals to serve on AWC's Resolutions and Nominations Committees. Please contact me if you are interested in serving on either one of these very important committees.

The purpose of the Nominations Committee is to interview candidates for the AWC Board of Directors and recommend a slate of candidates to the general membership to be voted on during the Annual Business Meeting. The purpose of the Resolutions Committee is to review AWC's resolutions and Statement of Policy, make changes, and propose a revised Statement of Policy and list of resolutions to the general membership for review and adoption during the Convention. The Statement of Policy and resolutions serve as the basis for AWC's legislative program. Please begin thinking about modifications to the Statement of Policy and resolutions you may want to present to the general membership. If you need assistance drafting a resolution please contact the AWC staff. The first Resolutions Committee meeting will be held in early May. Again, please contact me or the AWC staff if you are interested in serving on either one of these important committees.

These are a few of the events that took place during the Board meeting and Legislative Conference, and will take place during the next several months. I hope you find this information helpful. As always, please feel free to contact me at (206) 491-3214 or the AWC staff at (206) 753-4137 or toll-free message line 1-800-562-8981 if you have any questions regarding AWC's activities.

Sincerely,



Mayor Gene Liddell, City of Lacey
AWC District #6 Representative

GL:JJ/cjt

*Please call me
if you have any
questions.*

Town of Eatonville

Incorporated October 28, 1909
P.O. Box 309 • 201 Center St. West

Eatonville, Washington 98328

March 11, 1992

RECEIVED

MAR 17 1992

CITY OF GIG HARBOR

Mayor Gretchen S. Wilbert
City of Gig Harbor
P.O. Box 145
Gig Harbor, WA 98335

Dear Mayor Wilbert:

I am pleased to share with you the attached draft Strategic Plan for the Tacoma-Pierce County Health Department. For the first time in the Health Department's history, a systematically developed formal plan will be utilized to guide the Health Department into the future. This plan is the result of careful input by community leaders, Health Department staff and management, and the Board of Health over the past year.

For the Board of Health and the Tacoma-Pierce County Health Department, strategic planning has become an ongoing process. The Strategic Plan itself is a fluid document that provides important guidances yet challenges us, and, undoubtedly will undergo changes over time. I encourage you to read the draft Strategic Plan and provide me with your thoughts and comments.

Sincerely,



Dennis A. Stranik
Mayor, Town of Eatonville
Member, Tacoma-Pierce County Board of Health

DAS:ebb

Attachment

Gretchen Wilbert

*The Strategic Plan is
in my office for your
review.*

*I will reproduce the
25 page report upon request.
This is the Culmination (or
beginning) of the elected officials
effort to identify the goals &
role of the Health Dept. G.*



Pierce County

Department of Planning and Land Services

2401 South 35th Street
Tacoma, Washington 98409-7460
(206) 591-7200 • FAX (206) 591-3131

DEBORA A. HYDE
Director

March 6, 1992

RECEIVED

MAR 9 1992

CITY OF GIG HARBOR

Dear Interested Parties:

Enclosed you will find a Determination of Significance (DS) regarding adoption of the proposed Pierce County Transportation Plan. A DS is issued when the responsible official, in this case the Pierce County Department of Planning and Land Services, finds that a proposal is likely to have significant environmental impacts and will require an Environmental Impact Statement (EIS). The purpose of the EIS is to identify and discuss the proposed action, reasonable alternatives, significant environmental impacts, and mitigation measures.

In order to determine the range of alternatives, impacts and mitigation considered in the EIS, scoping is undertaken. The process of scoping includes mailing the DS to state and federal agencies, affected tribes, and members of the public who may be interested in commenting on what should be included in the EIS (the "scope" of the EIS). Interested parties and individuals have twenty-one days to respond.

Thank you for your cooperation in this County-wide effort.

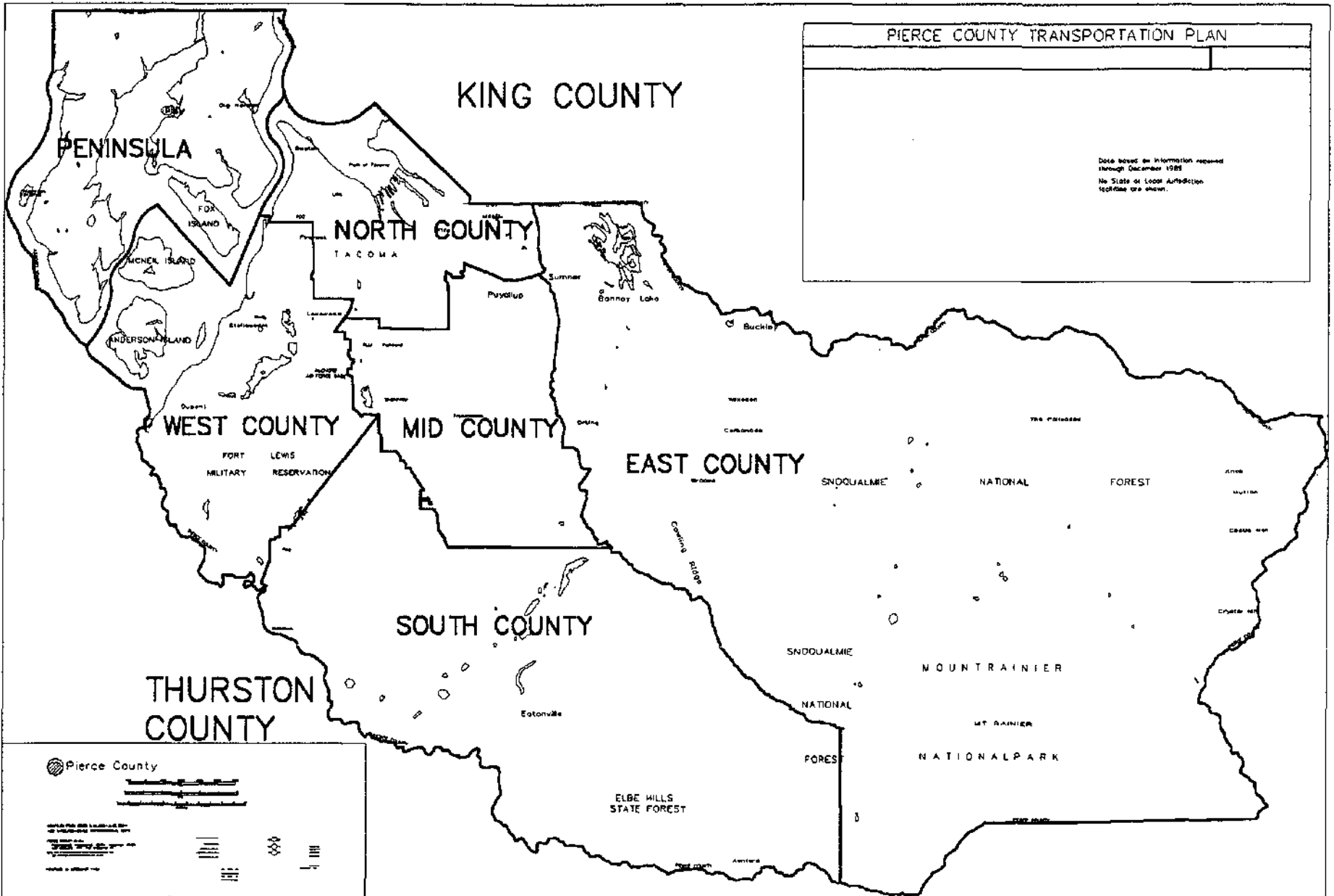
Sincerely,

JANINE REDMOND
Senior Planner
Environmental Designate

for: DEBORA A. HYDE
Director

DAH:JR:jm
3PCTRAN.DS
Enclosure







Pierce County

Office of the County Council

930 Tacoma Avenue South, Room 1046
Tacoma, Washington 98402-2178
(206) 591-7777
FAX (206) 591-7509
1-800-992-2456

RECEIVED

MAR 17 1992

CITY OF GIG HARBOR

MEETING NOTICE

TO: Interested Parties
FROM: Pierce County Council *[Signature]*
DATE: March 13, 1992
SUBJECT: Proposal No. 91-120S5, An Ordinance of the Pierce County Council Adopting a New Chapter of the Pierce County Code, 21.18, "Fish and Wildlife Habitat Areas"; and Adopting Findings of Fact.

The Pierce County Council has scheduled a public hearing for Proposal No. 91-120S5, Fish and Wildlife Habitat Areas. Public testimony will be taken; written comments are welcome as well.

Date: Tuesday, March 24, 1992
Time: 5:00 P.M.
Place: Mount Tahoma High School Auditorium
6229 South Tyler (MAP ON REVERSE)
Tacoma, Washington

PLEASE NOTE: *Since the school has another event scheduled in the Auditorium that afternoon, they have asked that we arrive after 4:30 P.M.*

If you have any questions, please call the Clerk of the Council, Gerri Rainwater, at 591-7777.

Gretchen Wilbert


3/18/92

Complete report may be seen in my office if you have not been sent the same. The 16 page reports multiplied was too much if not needed. Please comment.





City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: Mayor Wilbert and City Council
FROM:  Ray Gilmore
DATE: March 18, 1992
SUBJ.: Shoreline Permit Application #89-03/VAR89-11 --
Stanich Dock Moorage Float Addition
(Ellsworth/Thornhill)

Attached for your consideration is a resolution and shoreline management permit for the conditional approval of the above referenced shoreline permit application and zoning variance. This matter was originally considered by the council in August of 1989. Due to the lack of sufficient off-street parking, the applicant applied for a variance from the minimum parking standards. Staff and the hearing examiner recommended approval with the provision that seven off-street parking spaces be available.

The applicant's request was indefinitely tabled by the Council until such time that an acceptable off-street parking plan was submitted for review. The applicant has provided such a plan and has scaled down the moorage proposal to limit the total number of vessels at the facility to fourteen craft (under this application).

Additional documents and plans pertinent to your review are attached.

CITY OF GIG HARBOR
RESOLUTION No. _____

WHEREAS, Robert Ellsworth and Michael Thornhill have submitted an application for a Shoreline Management substantial development permit to permit the construction of a 190 foot long float to accommodate six new boats 45 feet or greater in length at the applicants' small boat moorage facility (Stanich Dock); and,

WHEREAS, the proposal would require the applicants to provide off-street parking at a ratio of one parking space per boat, thus requiring a variance from the parking standards of the zoning code for the new facilities; and,

WHEREAS, the Gig Harbor City Council has adopted Ordinance #489 which establishes guidelines for the reviewing of Shoreline Management permits; and,

WHEREAS, the Planning Department for the City of Gig Harbor has recommended conditional approval of the project, in a staff report dated October 11, 1989; and,

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on October 25, 1989 to accept public comment on; and,

WHEREAS, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions and has recommended conditional approval of the shoreline permit; and,

WHEREAS, the hearing examiner recommended denial of the variance application in his report dated November 16, 1989, with the findings that the applicant did not meet the burden of proof required to qualify for relief from the parking requirements, that the existing moorage facility did not conform to the parking requirements and that the applicant should provide eight off-street parking stalls within two hundred feet of the property to accommodate the proposed expansion; and,

WHEREAS, the City Council tabled the application on January 9, 1990, to allow the applicant sufficient time to submit an acceptable off-street parking plan, consistent with the hearing examiner's recommendation; and,

WHEREAS, the applicant has demonstrated that obtaining eight off-street parking spaces within two hundred feet of the site has not been possible and has entered into a long-term lease with an adjacent property owner to provide three off-street parking spaces, in addition to two off-street parking spaces on the applicant's property; and,

WHEREAS, the applicant has agreed to limit total moorage (existing and proposed under this permit application) to fourteen (14) vessels under this shoreline management permit application; and,

WHEREAS, the proposal with the five off-street parking spaces and reduction in moorage at the total facility will decrease the non-conformity of the existing marina.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gig Harbor, Washington, as follows:

That the findings, conclusions and recommendations of the Hearing Examiner in his reports dated November 16, 1989 are adopted in part and the application for a shoreline management substantial development permit and zoning variance for off-street parking is approved, subject to the following conditions:

1. The float arrangement and parking plan as depicted in the revised site plan of February, 1992, and referenced as Exhibit "A" is accepted and approved.
2. The total number of vessels at the entire moorage facility is limited under this permit application to fourteen, eight of which are less than forty-five feet in length and six of which are forty-five feet in length or greater.

PASSED this _____ day of March, 1992.

page 3

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with City Clerk: 3/17/92
Passed by City Council:

CITY OF GIG HARBOR
SHORELINE MANAGEMENT ACT OF 1971
PERMIT FOR SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT,
CONDITIONAL USE, OR VARIANCE

- Substantial Development Permit
 Conditional Use
 Variance

Application No. SDP 89-03

Administering Agency City of Gig Harbor

Date Received August 18, 1989

Approved _____ Denied _____

Date of Issuance _____

Date of Expiration _____

Pursuant to RCW 90.58, a permit is hereby granted/denied to

Robert Ellsworth / Mike Thornhill
(name of applicant)

5720 144th NW, Gig Harbor, WA 98335
(address)

to undertake the following development construct 190' extension
to dock.

upon the following property portion of the SE of Section 5
(Section, Township, Range)

Township 21 N., Range 2 EWM.

Within Gig Harbor Bay and/or its associated
wetlands. The project will not be within shorelines
(be/not be)

of statewide significance (RCW 90.58.030). The project will
be located within an Urban designation.
(environment)

Development pursuant to this permit shall be undertaken pursuant to the following terms and conditions Resolution attached as Exhibit 'A'.

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.68.140(7) in the event the permittee fails to comply with the terms or conditions hereof.

CONSTRUCTION PURSUANT TO THIS PERMIT WILL NOT BEGIN OR OS NOT AUTHORIZED UNTIL THIRTY DAYS FROM THE DATE OF FILING AS DEFINED IN RCW 90.58.140(6) AND WAC 173-14-090, OR UNTIL ALL REVIEW PROCEEDINGS INITIATED WITHIN THIRTY DAYS FROM THE DATE OF SUCH FILING HAVE TERMINATED; EXCEPT AS PROVIDED IN RCS 90.58.140(5)(a)(b)(c).

(Date)

Mayor, City of Gig Harbor

THIS SECTION FOR DEPARTMENT USE ONLY IN REGARD TO A CONDITIONAL USE OR VARIANCE PERMIT.

Date received by the department _____

Approved _____ Denied _____

This conditional use/variance permit is approved/denied by the department pursuant to chapter 90.58 RCW.

Development shall be undertaken pursuant to the following additional terms and conditions:

(Date)

(Signature of Authorized Department Official)

CITY OF GIG HARBOR

851-8136

- Conditional Use Permit
- Variance
- Administrative Approval
- Planned Unit Development
- Rezone
- Site Plan Review

FEB 07 1992

APPLICATION

CITY USE ONLY

Case Number

RECEIVED

Date Received

AUG 18 89

By

RHS

Related Case Numbers

OWNER(S)

1. NAME Robert Ellsworth/Mike Thornhill

MAILING ADDRESS 5720 144th N.W.

CITY AND STATE Gig Harbor WA ZIP 98335

TELEPHONE 857-3399

I (We) (Signature(s)) _____ Date _____

Michael Thornhill 4-4-89

Robert Ellsworth 4-5-89

do hereby affirm and certify, under penalty of perjury, that I am one (or more) of the owners or owner under contract of the below described property and that the foregoing statements and answers are in all respects true and correct on my information and belief as to those matters, I believe it to be true.

APPLICANT

2. NAME Same as Above

MAILING ADDRESS _____

CITY AND STATE _____ ZIP _____

TELEPHONE _____

SIGNATURE _____ DATE _____

3. AUTHORIZED REP. NAME John Petteys Jr.

MAILING ADDRESS P.O. Box 5677

CITY AND STATE Tacoma, WA ZIP 98405

TELEPHONE 272-5144

4. NAME OF PROJECT Stanich Dock Extension

5. SUMMARY OF REQUEST (List Type of Uses) Variance from off-street parking requirement

6 boats over 45' in length/ 8 boats <45'

6. UTILITIES:

1. WATER SUPPLY: (Name of Utility, if applicable)

a. EXISTING: Gig Harbor

b. PROPOSED: Same

2. SEWAGE DISPOSAL: (Name of Utility, if applicable)

a. EXISTING: None. City Available

b. PROPOSED: None

ACCESS: (Name of road or street from which access is or will be gained)

1. EXISTING ACCESS: Dorotich Ave.

2. PROPOSED ACCESS: Dorotich Ave.

7. PROPERTY LOCATION:

NORTH SOUTH EAST WEST SIDE OF (Circle One)

(Road Name): End of Dorotich Ave

between (road name): _____

and (road name): _____

PROPERTY ADDRESS 8318 Dorotich Ave

SECTION 5 TOWNSHIP 21 RANGE 2 E

ASSESSOR'S PARCEL NUMBER 597000-0110

ASSESSOR'S PARCEL NUMBER 597000-0101

FULL LEGAL DESCRIPTION OF SUBJECT PROPERTY: (Attach

separate sheets if too long) Attachment

8.

EXISTING ZONING W - 1

TOTAL SQUARE FOOTAGE OF SITE 2723 sf (upland)

CITY OF GIG HARBOR

851-8136

SHORELINE PERMIT(S) APPLICATION

CITY USE ONLY

Case Number _____

Date Received _____

By _____

**RECEIVED
REVISED
FEB 07 1992**

CITY OF GIG HARBOR

Please check the Permit(s) you wish to apply for:

- Shoreline Management Substantial Development
 Shoreline Conditional Use
 Shoreline Variance

TO THE APPLICANT: This is an application for a Substantial Development Permit and is authorized by the Shoreline Management Act of 1971. It is suggested that you check with the appropriate local, state or federal officials to determine whether your project falls within any other Permit system, since a Permit under the Shoreline Management Act will not excuse the applicant from compliance with any other local, state or federal ordinances, regulations or statutes applicable to the project.

USE BLACK INK ONLY

OWNER(S)

1. NAME Robert Ellsworth/Mike Thornhill

MAILING ADDRESS 5720 144th N.W.

CITY AND STATE Gig Harbor, WA ZIP 98335

TELEPHONE (206) 857-3399

I (We) (Signature(s)) _____ Date _____
Robert E. Thornhill 3-27-89
Mike Ellsworth 3/27/89

do hereby affirm and certify, under penalty of perjury, that I am one (or more) of the owners or owner under contract of the below described property and that the foregoing statements and answers are in all respects true and correct on my information and belief as to those matters, I believe it to be true.

APPLICANT

2. NAME Same As Above

MAILING ADDRESS _____

CITY AND STATE _____ ZIP _____

TELEPHONE _____

SIGNATURE _____ DATE _____

3. AUTHORIZED REP.
NAME John A. Petteys Jr.

MAILING ADDRESS P.O. Box 5677

CITY AND STATE Tacoma, WA ZIP 98405

TELEPHONE (206) 272-5144

4. NAME OF PROJECT Stanich Dock Extension

5. SUMMARY OF REQUEST (List Type of Uses)
Moorage for Fishing Boats &
recreational boats

6. PROPERTY LOCATION:
 NORTH SOUTH EAST WEST SIDE OF (Circle One)
 (Road Name): End of Dortich Ave.

between (road name): _____

and (road name): _____

PROPERTY ADDRESS 8318 Dorotich Ave.

SECTION 5 TOWNSHIP 21-N RANGE 2 E

ASSESSOR'S PARCEL NUMBER 597000-0110

FULL LEGAL DESCRIPTION OF SUBJECT PROPERTY: (Attach

separate sheets if too long) See Attachment

7. EXISTING ZONE W-1

TOTAL SQUARE FOOTAGE OF THE SITE _____

Upland 2723 sf

CITY OF GIG HARBOR**HEARING EXAMINER****FINDINGS CONCLUSIONS AND RECOMMENDATION**

APPLICANT: Robert Ellsworth and Mike Thornhill

CASE NO: V 89-11 / SDP 89-03 / SPR 89-10

APPLICATION: Substantial development permit (SDP 89-03) for construction of an ~~88~~¹⁷³ foot extension to dock and construction of 45' x 60' deck for net storage. Site plan review (SPR 89-10) for above. Variance (VAR 89-11) from parking standards of the zoning code (Section 17.76).

SUMMARY OF RECOMMENDATIONS:

Planning staff Recommendation: Approve Shoreline Development Permit and Site Plan with conditions; deny variance request.

Hearing Examiner Recommendation: Approve Shoreline Development Permit and Site Plan with conditions; deny variance request.

PUBLIC HEARING:

After reviewing the official file which included the Planning Staff Advisory Report; and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the Ellsworth/Thornhill application was opened at 3:18 pm, October 25 1989, in City Hall Gig Harbor, Washington, and was closed for oral testimony at 4:10 pm. The hearing was kept open administratively to receive additional written information until November 3, 1989. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the Planning Department.

FINDINGS CONCLUSIONS AND RECOMMENDATION:

Having considered the entire record in this matter, the Hearing Examiner now makes and enters the following:

I. FINDINGS:

A. The information contained on pages 1, 2, 3, and 4 of the Planning's Staff Advisory Report (Hearing Examiner Exhibit A) as modified at the hearing is found by the Hearing Examiner to be supported by the evidence presented during the hearing, and by this reference is adopted as a portion of the Hearing Examiner's findings of fact. A copy of said report is attached hereto as Exhibit A.

B. One of the applicants testified that:

1. There has been a commercial dock at this site for 60 years. There is no off-street parking for the dock. This marina's use is different than a pleasure boat marina. The only time when a large number of vehicles are parked in association with the dock is when the fleet comes in. The dock does not need as much parking as would be needed with a pleasure craft marina.
2. This proposal would result in 6 additional slips with stern ties.

C. No testimony or evidence was entered into the record by the general public in support of the subject request.

D. Six persons testified in opposition to the variance request. Those who testified pointed out the existing parking problem and expressed concerns about the problem getting worse if the dock is expanded and no additional parking is provided. They questioned the applicant regarding the types of vessels which would use the new slips. He indicated he would like to provide slips to fishing boats, but would rent to pleasure craft if fishing boats did not use the slips.

E. Three letters were received regarding the project including one from a person who testified at the hearing (Exhibits D, E, and F). The letters expressed concerns about the general lack of parking, the scale of the project relative to the size of the site and the potential for additional livaboards unless adequate sewage disposal and parking is provided. One letter also offered concerns and recommended conditions of approval related to the design of the dock and existing pilings.

II. CONCLUSIONS:

A. The conclusions recommended by the Planning Staff and set forth on page 5 of the Planning Staff's Advisory Report accurately set forth a portion of the conclusions of the Hearing Examiner and by this reference, are adopted as a portion of the Hearing

Examiner's conclusions. A copy of said report is attached hereto as Exhibit A.

B. While the applicant testified that the new slips would be used for fishing boats, they could also be used for large pleasure craft. If the slips are used for large pleasure craft the need for year round parking will be increased. It would not be reasonable to relax the requirements for parking for an existing non-conforming dock in an area where parking is critical, even if the slips were to be used for fishing boats. In any event, the variance criteria relate to special circumstances applicable to the property itself, not to the potential uses of the property. While the applicant did discuss the narrow upland portion of the property, he did not meet the burden of proof required to qualify for relief from the parking requirements of the zoning code. The existing dock does not meet the parking requirements of the zoning code and the applicant did not identify a special circumstance which could reasonably be used as a basis to allow expansion of the dock if parking is not provided.

C. It is recognized that approval of the shoreline substantial development permit and the site plan are moot if nearby parking cannot be acquired by the applicant, however, if space for parking can be

acquired, then the applicant should be allowed to proceed with his proposed development.

- D. Concerns expressed by the neighboring property owner to the north regarding setback and pilings in the setback area are reasonable and should be addressed in the conditions of approval.

III. RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions, the Examiner recommends that the variance from parking standards be denied. It is recommended that the shoreline permit and site plan be approved subject to the following conditions:

1. As required pursuant to the Uniform Fire Code, fire protection improvement as referenced by the Fire marshal in his review of August 21, 1989, shall be required. This shall include required fire flow, hose racks, and extinguishers.
2. As required by the Building Official, pursuant to the Uniform Building code, rest room facilities must be provided for employees.
3. As required by the zoning code, Section 17.76, off-street parking must be provided for a minimum of eight vehicles. Off-street parking must be located within 200 feet of the establishment and shall be clearly marked "Parking for Stanich Dock Only." Parking must be provided prior to issuance of the building permit for this project.
4. As required by the Gig Harbor Shoreline Master Program, page 24, a general plan for waste disposal shall be submitted to the City Council for its

STAFF REPORT

ENVIRONMENTAL EVALUATION AND
REPORT TO THE HEARING EXAMINER

ROBERT ELLSWORTH/MIKE THORNHILL (STANICH DOCK)

PART I: GENERAL INFORMATION

A. Applicant:

Robert Ellsworth/Mike Thornhill
5720 144th St. N.W.
Gig Harbor, WA 98335

B. Owner

Same as above.

C. Agent:

John Petteys, Jr.
P.O. Box 5677
Tacoma, WA 98405

D. Request:

Substantial development permit (SDP-89-03) for construction of an
173 85 foot extension to dock and construction of 45' X 60' deck for
net storage. Site plan review (SPR-89-10) for above. Variance
(VAR-89-11) from parking standards of the zoning code (Section
17.76).

E. Property Description:

1. Location:

The property is located at the end of Dorotich Street at the Stanich Dock. The property is identified as assessor's tax parcel number 597000-0100 and 0101, located within a portion of the southeast quarter of Section 5, Township 21 North, Range 2 East, W.M.

2. Site Area/Acreage:

The property consists of 2723 square feet of upland and approximately 1.25 acres of tidelands, including bedlands leased by the State of Washington. The proposed deck and float would add approximately 3200 square feet of overwater construction.

3. Physical Characteristics:

The area subject to development overlies the waters of the State. No upland construction is proposed.

Public Notice:

Notice of public hearing was mailed to property owners of record within 300 feet of the subject site on October 13, 1989; published in the Peninsula Gateway on October 11, 1989; and posted in three conspicuous places in the vicinity of the subject site on October 13, 1989.

PART II: ANALYSIS

A. Agency Review

1. Building Official:

Fire flow must be extended to landward end of pier and every 150 feet of the float; hose racks and fire extinguishers required per 1988 UFC; restroom facilities must be provided for employees.

2. Public Works Department:

No impacts to city sewer and water services; question on impacts to water quality from paints, solvents, etc.

3. Washington State:

Department of Ecology - No response.
Department of Fisheries - No response.
Department of Natural Resources - No response.

B. Comprehensive Plan/Zoning Code:

1. The comprehensive plan designates this area as a waterfront area. The proposed use is consistent with the goals and objectives of the comprehensive plan, respective to land use, economic development and for shoreline management.

2. The zoning code designates this area as a waterfront district. The proposed development is a permitted use, pursuant to Section 17.44.020(B). In respect to moorage facilities, parking is required at a ratio of one space per vessel for slips 45 feet or more, or one space per two vessels if the slips are less than 45 feet. No documentation is provided to show the size of the vessels which would use these slips.

Because of the design, it is quite probable that larger commercial vessels will use this facility. Therefore, it is presumed that eight parking spaces will be required for the new additions. A variance has been requested from the minimum parking standards.

In respect to boat moorage (Section 17.76), no wharf or moorage may be permitted within 12 feet of a property line unless there is evidence of an agreement among property owners for joint use of common lot lines. The proposed net storage deck appears to be 12 feet from the property line to the northeast.

Regulations:

- 2) Piers and floats shall be for...water oriented uses.
- 3) no pier or float shall extend waterward of the outer harbor line.
- 5) All pier and float proposals shall include a general plan for discharging waste materials in areas other than directly into the waters of Gig Harbor.
- 11) New moorage facilities shall adhere to the Boat Moorage portion of the city's zoning ordinance.

C. Marinas, pages 20-21.

Policies:

- 1) Gig Harbor residents should have priority for moorage.
- 2) Priority shall be given to boats which are not easily trailered.

Regulations:

- 3) All marinas shall be consistent with the design criteria adopted by Washington Department of Fisheries.
- 5) Covered moorage is prohibited.
- 6) Marinas shall be designed so that no part of a moored craft extends beyond the outer harbor line.

D. Other considerations.

- 1) Although not mentioned in the application, the facility also operates "Gig Harbor Boat Rentals", which is a new business activity at this location. It is unknown how many rental boats are involved, but on-site inspection indicated that five 14-foot outboards were moored at the facility. This fact should be taken into account in consideration of this proposal.
- 2) A letter was received from a Mary Jacobson^{kson} contesting ownership of tidelands. The applicant has, in response, submitted a title report, showing ownership interests. As a property ownership dispute, the city has no authority to intercede on behalf of any party. This is a private matter which can only be addressed and resolved between the individuals or through the courts.

PART III: FINDINGS AND CONCLUSIONS

Based upon the preceeding analysis, staff finds as follows:

1. The proposed float and deck are permitted uses in accordance with the zoning code (Secton 17.44.020, W-1 district) and the shoreline master program.
2. The applicant contends that with the new moorage float, the facility would effectively halve the number of vessels using the site and consequently, the parking impacts on Dorotich Street. This cannot be accepted as a valid argument by staff for two reasons:
 - 1) There is absolutely no assurance that rafting of vessels would cease. In effect, it would be difficult, if not impossible, to limit the number of vessels using this facility on a daily basis.
 - 2) The parking allocation is further compounded by the operation of the new boat rental facility. With a minimum of five rental boats (less than 45 feet), two new parking spaces should be required.

In summary, staff concludes that the applicant has not met the criteria for a variance from the minimum off-street parking requirements of section 17.76. Applicant has not shown that there are special circumstances unique to the property which deprive the property of privileges enjoyed by other similar properties in the vicinity. Other nearby expanded or developed moorages have been required to develop parking areas or to demonstrate that sufficient parking is available on private property to accommodate the expanded marina/moorage services. Therefore, off-street parking for a minimum of eight spaces should be provided. The variance request should be denied.

- 3) The proposal does not present a significant impact upon the quality of the environment, due to its location, size, and nature.
- 4) Conditions may be established under site plan review and the shoreline permit to assure consistency with applicable codes, standards, and policies.

PART IV: RECOMMENDATION

Based upon the preceeding analysis, staff recommends that the shoreline permit and site plan be approved in accordance with the findings of Part III, subject to the following conditions:

1. As required pursuant to the Uniform Fire Code, fire protection improvement as referenced by the Fire Marshal in his review of August 21, 1989, shall be required. This shall include required fire flow, hose racks, and extinguishers.
2. As required by the Building Official, pursuant to the Uniform Building Code, restroom facilities must be provided for employees.

3. As required by the zoning code, Section 17.76, off-street parking must be provided for a minimum of eight vehicles. Off-street parking must be located within 200 feet of the establishment and shall be clearly marked "Parking for Stanich Dock Only." Parking must be provided prior to issuance of the building permit for this project.
4. As required by the Gig Harbor Shoreline Master Program, page 24, a general plan for waste disposal shall be submitted to the City Council for its approval prior to action on the shoreline permit.
5. As required by the Gig Harbor Shoreline Master Program, page 26, no portion of a watercraft moored at a pier or float shall be allowed to extend waterward of the outer harbor line. This will require limiting the length of a vessel in the outermost slip to 20 feet in length, or reducing the length of the float by eliminating the outermost slip.

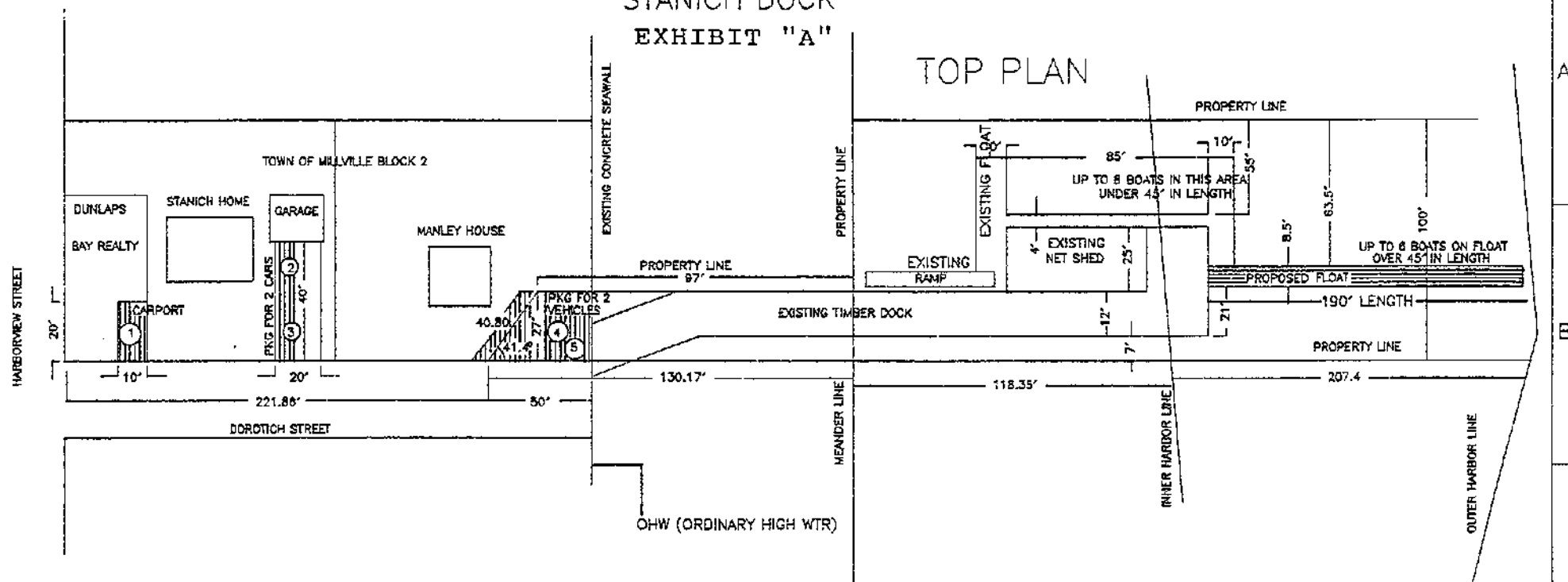
Staff Report Prepared by: Ray Gilmore, 851-8136

Parties of Record:

1 2 3 4 5 6

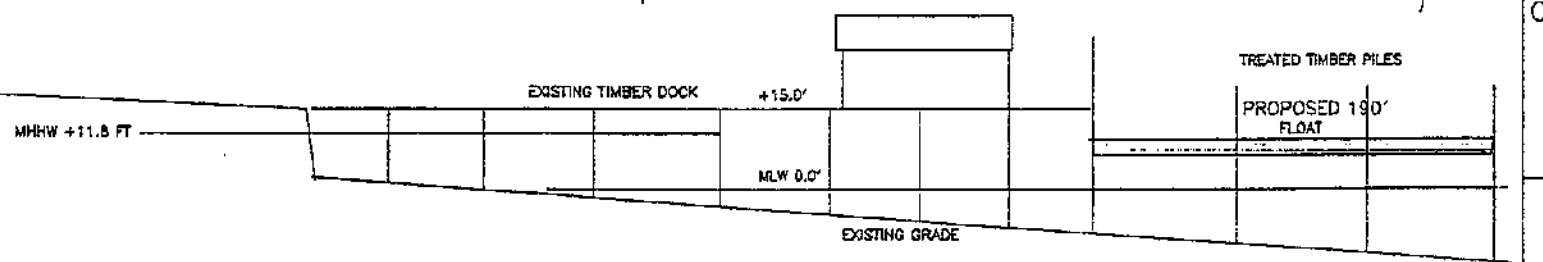
STANICH DOCK EXHIBIT "A"

TOP PLAN



APPROXIMATE SCALE
 VERTICAL: 100' = 2.4"
 HORIZ: 60' = 1.2"

SIDE ELEVATION



Title		
Size B	Number STANICH DOCK PLAN	Revision
Date	Drawn By	
File	Sheet of	

1 2 3 4 5 6