

**City of Gig Harbor Planning Commission
Minutes of Work-Study Session
Thursday, January 6, 2005
Gig Harbor Civic Center**

PRESENT: Commissioners Dick Allen, Scott Wagner, Kathy Franklin, Bruce Gair and Chairperson Paul Kadzik. Commissioners Theresa Malich and Carol Johnson were absent. Staff present: Steve Osguthorpe and Diane Gagnon.

CALL TO ORDER: 6:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of December 16, 2004
Gair/Malich – unanimously approved.

NEW BUSINESS

1. Peninsula School District, 16215 62nd Ave., Gig Harbor WA - Proposed amendment to GHMC Chapter 17.67 (ZONE 04-10) to add a provision for schools as a Performance Based Height Exception.

Planning Manager Steve Osguthorpe passed out the draft ordinance reflecting some of the changes requested by the Planning Commission at the last meeting. He further explained that some of the changes had not been made due to the fact that the applicant on this proposal was now the school district who was requesting that the Planning Commission act on the proposal tonight. Mr. Osguthorpe explained that there had been some confusion earlier since the City Council directed him to make these changes he had assumed that the city was the applicant, however, since the school district had drafted the proposed language and submitted an application and paid fees, they were really the applicant. He further explained that as a city proposal the Planning Commission had the ability to change it but since the school district was now the applicant they have the ability to request that the Planning Commission act. He continued by saying that the school district was concerned that some of the changes the Planning Commission had suggested would trigger another SEPA review which would require additional time. The applicant was therefore asking the Planning Commission to forward their recommendation to the City Council at this time. Mr. Osguthorpe noted that the references to public schools had been eliminated so that the exception could apply to both public and private schools as requested by the Planning Commission. He then stated that the school district felt that changing their proposal to allow for Performance Based Height Exceptions in all zones would be a significant departure from their original proposal and were not willing to make that change. Mr. Osguthorpe then noted that the requirement for topographic information and cross sections to be included in an application for a PBHE had been added. He then addressed the Planning Commissions request that the proposal be changed to require all PBHE to go to the Design Review Board. He stated that he had consulted with the City Attorney and been advised that since PBHE were similar to a variance they would not be within

the DRB's authority. Additionally, applicants for a Performance Based Height Exception should be given the ability to choose between the administrative and DRB process just as everyone else is.

Chairman Kadzik asked if the requirement for the schools to be approved by the Washington State Office of Public Instruction achieved the goal of screening out commercial enterprises.

Planning Manager Osguthorpe answered that he was unsure what the requirements were to achieve this approval but was confident that since the ordinance only applies to the PI zone, commercial schools (i.e. karate schools, dance schools) would not be able to apply for a Performance Based Height Exception.

Commissioner Allen expressed concern with only allowing this exception for schools in the PI zone. He used St Nicholas Catholic School as an example and stated that they would not be able to apply for an exception without getting a comprehensive plan amendment and a zoning code amendment and felt that this was an additional burden on any private school.

Mr. Osguthorpe pointed out that any public school not located in a PI zone would have to go through the same process.

Commissioner Wagner stated that the PI zone was created recently and private schools were not included and that giving that opportunity for them is no different than in areas where public schools are located.

Chairman Kadzik reminded the Planning Commission that it was the change in the way height is measured in the view basin that prompted this proposal.

It was then pointed out by Commissioner Wagner that it was unusual that at first this was an application from the city and now it's the schools district and we no longer have the ability to change it.

Mr. Osguthorpe suggested that if the Planning Commission wished to recommend changes they could forward the ordinance, recommending approval with suggested changes. He then reminded the Planning Commission that their recommendation also must include their reason why schools should receive a Performance Based Height Exception and perhaps part of that reason was that schools were an essential part of a community, unlike a theatre.

Commissioner Allen stated that he believed that the community had an expectation that schools are larger structures. Additionally Chairman Kadzik pointed out that movie theatres and commercial athletic facilities do not need to be located in neighborhoods, nor would they be located in the PI zone.

The Planning Commission then decided the two issues which had not been included in the draft ordinance and approached the issue of allowing the PBHE in other zones than PI.

Chairman Kadzik stated that he had a concern for the neighborhood surrounding schools located in R-1 zones. Commissioner Wagner pointed out that there are a small number of schools in R-1 zones and that they are no different than the neighbors in a PI zone. He further reminded the commission that the PBHE is not a given but a rather a very difficult process with strict criteria. He also stated that historically schools are located in neighborhoods and are large structures. He then voiced his support for all schools and noted that this exception may never be utilized but all schools should be treated the same.

Commissioner Malich suggested that the private schools propose an ordinance of their own addressing these concerns and then stated if the neighborhoods are for it she would support it. Commissioner Wagner reminded everyone that this proposal for the PI had not notified any neighbors either.

Commissioner Johnson stated that she felt that property owners who were in an R-1 had different expectations of what would surround them than those property owners neighboring a PI zone.

MOTION: Move to recommend an addition to the draft ordinance that all state approved K-12 schools in all zones that allow schools be allowed to apply for a Performance Based Height Exception

Wagner/Allen – 3 in favor, 3 opposed with Chairman Kadzik breaking the tie, voting no. Motion failed.

The Planning Commission then discussed the issue of whether all Performance Based Height Exceptions for schools should go to the Design Review Board.

Planning Manager Osguthorpe stated that the Design Review Board reviews design, not performance standards and that the ordinance is written to reflect that if additional height is needed strictly for a design purpose the applicant must go to the DRB.

Commissioner Johnson asked if it was likely that the authority of the DRB would change with the recommendations of the Design Review Procedures Committee and Mr. Osguthorpe replied that no it was really a legal issue that everyone be given the option of going through the administrative process without going to the DRB.

Commissioner Gair voiced his support of the proposed language and felt comfortable with the provision that the DRB look at all height exceptions for design purposes.

MOTION: Move to recommend approval of draft ordinance allowing schools to apply for a Performance Based Height Exception as schools and their location are an essential part of the community.

Johnson/Franklin

Commissioner Wagner stated that he felt that the Planning Commission should at least let the City Council know their desire to have the Design Review Board review all school projects requiring a Performance Based Height Exception.

AMENDED MOTION: Move to recommend the City Council approve the draft ordinance with the additional requirement for schools to get Design Review Approval.

Wagner/Johnson – unanimously approved.

Commissioner Allen asked that the previous motion to include schools in all zones also be brought to the City Council's attention given the fact that the Planning Commission was virtually split on the issue.

Planning Manager Steve Osguthorpe stated that the City Council would be given a copy of the minutes and that additionally he would include it in his memo to them.

A fifteen minute recess was called at 7:00 to make additional copies before moving on to the next item on the agenda.

The meeting was called to order at 7:15.

1. City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA – Proposed addition of GHMC Chapter 17.14 (ZONE 04-09) establishing a land use matrix and modifying GHMC Chapter 17.04 Definitions.

Senior Planner Rob White explained that he had made the suggested changes from the last meeting and asked that they go through the list of definitions alphabetically. Mr. White read each definition and the Planning Commission indicated their approval or their desire to discuss some possible changes at another meeting.

Accessory Apartment – This was discussed previously, however the Planning Commission requested that staff research whether it was legal to not allow them to be condominiumized.

Accessory Uses and Structures – Approved

Adult Family Homes – Approved with confirmation that this is the state definition.

Adult Entertainment Facility – Approved

Animal Clinics – Commissioner Wagner asked why not include farm animals and Commissioner Allen pointed out that residences can have these animals so why not allow them to be treated. Staff will come back with a proposal.

Bed and Breakfast – Approved

Commercial Day Care – Approved with addition of language to add requirement for state licensing.

Family Day Care – Approved

Commercial Parking Lots – Commissioner Wagner asked about public parking lots like a park and ride. It was decided that staff would adjust the definition to add language that the parking is not associated with a specific commercial activity.

Commissioner Malich had to leave the meeting at 7:35.

Commercial Recreation – Chairman Kadzik asked about the difference between Commercial Recreation and Community Recreation. Mr. Osguthorpe responded that

the reasoning was to allow some these recreational uses in areas and not in others. Commissioner Wagner asked why not include theatres in the community recreation as there are several non-profit theatre groups. Chairman Kadzik suggested that the Planning Commission look at where these two definitions were allowed and then decide maybe creating levels. He then expressed his concern for differentiating between public and private and giving different privileges to each. It was decided that decided that staff would rework this definition and bring this back for further discussion.

Drive-throughs – Approved. Planning Commission noted that it will need to be decided where these would be allowed.

Dwelling, Attached – Approved with added language connected by common vertical walls, horizontal floor or under continuous roof structure.

Dwelling, Multiple-Family – Approved

Dwelling, Single-Family – Approved, removing the word exclusively

Dwelling, Two-Family – Approved.

Planning Manager Osguthorpe suggested that a definition of dwelling unit be added.

Family Day Care – Approved.

Commissioner Franklin had to leave the meeting at 8:10.

Gasoline Dispensing – Approved

Hospitals – Approved

Hotel/Motel – Commissioner Wagner asked if perhaps the hotels and motels should be separated as he had seen other cities have separate definitions, pointing out that typically hotel rooms are accessed via a central entrance and motels are accessed from outside entrances with external staircases. It was agreed staff would bring back an additional definition.

Industrial Level 1 – Commissioner Wagner pointed out that the industrial definitions are precluded someone from manufacturing something from a raw material and cited several examples that would not have any impacts on the environment or surrounding properties. It was suggested that perhaps the definition should state what was prohibited rather than allowed. It was decided staff would rewrite the definitions for all Industrial Level 1 and 2.

Kennel – Approved.

Marine Industrial – Approved with the addition of the words “production or sales of” in front of fishing equipment and supplies.

Marine Retail – Approved.

Nursing Home – Approved.

Personal Service – Approved with increase in square footage of exercise facility to 3500.

Product Services Level 1 – Approved

Product Services Level 2 – Approved

Professional Services – Approved

Chairman Kadzik suggested that this item be continued to the next work-study session and they move on the next item on the agenda, the election of officers for 2005.

Election of Officers – 2005

Chairman Kadzik noted that Commissioner Gair who is now serving as the Vice Chairman had suggested that some new people serve as Chairman and Vice Chairman and he agreed. He then nominated Carol Johnson for Chairman and she accepted the nomination.

Commissioner Gair nominated Dick Allen for Vice Chairman and Mr. Allen accepted the nomination.

MOTION: Motion to elect Carol Johnson as Chairman and Dick Allen as Vice Chairman of the Planning Commission.
Kadzik/Wagner – Motion carried unanimously.

Commissioner Kadzik then gave newly elected Chairman Johnson her own gavel for presiding over meeting and announced that he would be resigning his position on the Planning Commission as of the next meeting January 20, 2005 as his schedule precluded it.

NEXT REGULAR MEETING:

January 20, 2004 at 6pm – Work-Study Session and Public Hearing

ADJOURN:

MOTION: Move to adjourn at 9:00 p.m.
Wagner/Johnson – unanimously approved

CD recorder utilized:
Disc #1 Track 1
Disc #2 Track 1