

**City of Gig Harbor Planning Commission
Minutes of Work-Study Session
Tuesday, June 21, 2005
Gig Harbor Civic Center**

PRESENT: Commissioners Jim Pasin, Jill Guernsey, Marilyn Owel, and Chairperson Dick Allen. Commissioners Scott Wagner, Harris Atkins and Theresa Malich were absent. Staff present: Rob White, Jennifer Sitts and Diane Gagnon.

CALL TO ORDER: 4:45 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of June 16, 2005
Pasin/Guernsey – unanimously approved

OLD BUSINESS

1. **City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** – (ZONE 05-790) A proposed ordinance of the City Council adopting a new section 17.04.367 GHMC defining footprint; and amending GHMC section 17.48.040 limiting the size of non-residential structures in the Waterfront Millville (WM) district.

Planning Manager Rob White explained to the Planning Commission that this item was a continuation of the last meeting and that the intent was to update those Planning Commission members not in attendance at the last meeting that may have some questions.

Commissioner Pasin asked about the applicability of multi-family structures, pointing out that Waterfront Millville currently allows up to 4 attached units.

Planning Manager Rob White reminded that Planning Commission that they cannot regulate by unit size, that they can look at footprint and building size but cannot dictate unit size.

The Commission then went through each zone looking at which ones allowed multi-family development. They noted that Waterfront Millville allows single family and duplex outright and a four-plex conditionally, Waterfront Commercial allows a four-plex outright, and Waterfront Residential only allows single family and duplex outright.

Commissioner Jill Guernsey noted that in Waterfront Residential while duplex is allowed you should not be able to double the size and that she thought that the sizes originally suggested in Version 3 were appropriate.

It was stated by Commissioner Pasin that he felt it was important to encourage residential uses in the waterfront commercial zone as mixed uses are beneficial to the

neighborhood. Commissioner Owel agreed and stated that the Planning Commission may want to revisit the topic of vertical zoning at some time in the future.

Commissioner Pasin stated that he agreed with what had been suggested in Version 3 for the Waterfront Residential zone.

Commissioner Guernsey suggested that they add that residential also means attached up to four units and to change the terminology to single family rather than residential.

After questions from the Planning Commission, Senior Planner Jennifer Sitts clarified how density is calculated.

Chairman Dick Allen pointed out that Waterfront Millville currently has no limit on residential currently and that imposing a limitation on residential simply clarifies that the size of all development is important.

Commissioner Owel asked if 3000 square feet per residential structure was enough for Waterfront Commercial when it allows a four-plex. Commissioner Pasin suggested that perhaps they should keep the 3000 sq ft max footprint or 6000 gross floor area per structure as we have for commercial uses in Waterfront Commercial.

Chairman Allen wondered what would happen with an underground parking situation, emphasizing that he felt that the parking was an additional activity and should be counted as such.

Senior Planner Jennifer Sitts reminded the Commission that changing the definition of floor area affects other areas of the city.

Commissioner Guernsey stated that she felt that whether a garage is on the waterfront or on the Westside the regulation should be consistent and further stated that she thought a distinction should be made between above ground and below ground parking.

Commissioner Pasin stated if are trying to encourage underground parking he didn't have a problem limiting underground parking in the Waterfront Millville and residential zones, however, he did think it should be allowed in more intense Commercial zones.

Commissioner Owel pointed out that parking was a use and should be regulated as such.

Commissioner Guernsey asked the commission on clarification of what they were trying to protect or change and if it was a residential versus non-residential issue.

Commissioner Pasin stated that he felt it was more of a waterfront issue.

Senior Planner Jennifer Sitts suggested changing WR and WM to include garage area in the gross floor area rather than change the definition for everywhere.

The Planning Commission was cautioned by Commissioner Guernsey on having a justification for not allowing it in the waterfront zones. Chairman Allen stated that he felt it was because it is still an added activity.

Commissioner Pasin suggested leaving the underground parking issue alone but take Ms. Sitts suggestion that the definition of gross floor area be defined for WR and WM in the development standards. Chairman Allen stated that he thought that would be fine if everyone thinks that would serve the purpose.

Commissioner Guernsey clarified that the proposal was that in the development standards of WM and WR it state that gross floor area includes parking and in other zones to just let the definition stand.

It was decided to leave the definition of floor area as is except to add the word "gross".

It was also agreed to change 17.46.040 WR district and 17.48.040 WM district, to add into the development standards, "maximum gross floor area includes garages attached and detached.

A 30-minute recess was called at 5:50 pm.

Chairman Allen called the meeting to order 6:25.

NEW BUSINESS

1. **City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** – Proposed ordinance (ZONE 05-794) eliminating the limitation on the reconstruction of nonconforming shoreline development after damage to the structure, amending Section 4.15 (C) of the Shoreline Master Program.

Planning Manager Rob White gave a brief outline in response to public input about concerns with the building size limitations preventing the existing multi-family structures from being rebuilt.

Commissioner Guernsey pointed out that there was a difference between nonconforming development as a use or a structure and wanted to make sure that it was recognized that there are differences between uses and structures. She continued by asking if they wanted people to be able to continue both the use and rebuild the structure. She further stated that she didn't see the reason for using 100%. She suggested saying if it is destroyed it can be rebuilt. Ms. Guernsey also suggested that they use the word structure rather than development.

Senior Planner Jennifer stated the use needs to coincide with the structure. If they are allowed to rebuild the structure the use should be able to remain also.

Commissioner Pasin voiced concern with having a timeframe in which they had to apply to rebuild as some insurance companies take forever. Commissioner Guernsey suggested that they add language allowing extensions.

The Planning Commission decided on the following language:

C. If a nonconforming structure is damaged or destroyed by earthquake, fire, flood, act of nature, or other unintentional act, it may be reconstructed to not more than the dimensions existing immediately prior to the time such structure was damaged or destroyed, if application for development permit is submitted within twelve months of the date of damage or destruction; however, the department may grant no more than 2 one year extensions based on good cause. The reconstruction shall comply with all applicable building codes in force at the time of application.

The following language was decided upon and it was decided to break it into two sections:

D. If a nonconforming use is discontinued in conjunction with the circumstances set forth in subsection (c) above, such use may be resumed upon completion of reconstruction.

E. If a nonconforming use is otherwise discontinued for twelve (12) months or for twelve months during any two year period, any subsequent use shall be conforming; it shall not be necessary to show that the owner of the property intends to abandon such nonconforming use in order for the nonconforming right to expire.

It was decided to schedule both of these nonconforming issues for a public hearing on July 21, 2005.

2. City of Gig Harbor 3510 Grandview Street, Gig Harbor WA 98335 – Proposed ordinance (ZONE 05-796) specifying that the regulations in the zoning code relating to nonconformities only apply within the area regulated under the City's Shoreline Master Program when the two are consistent, otherwise the Shoreline Master Program controls, adding a new Section 17.68.015.

Commissioner Guernsey clarified that in the designated shoreline area the zoning code says that if over 50% of your building is destroyed you cannot rebuild and the Shoreline Master Program says that you can then the Shoreline Master Program applies.

Commissioner Pasin asked if there were any waterward properties that would be left out of the designated shoreline area since they were more than 200' away from ordinary high water.

Senior Planner Jennifer Sitts mapped it on GIS and determined that were two lots that may be really close to being outside of the designated shoreline area and they are what is currently the Out of the Garden shop and the Ross building where Suzanne's and a

nail shop are located. She pointed out that they may be within the shoreline area and might need a survey of the bulkhead area.

Ms. Sitts then stated that section 17.68.090 within the nonconformities section seems like it should be repealed, as it is contradictory. Everyone agreed that it should be repealed.

NEXT REGULAR MEETING:

June 30, 2005 at 6:00pm – Special Meeting and Public Hearing

ADJOURN:

MOTION: Move to adjourn at 7:55 p.m.
Pasin/Owel – unanimously approved

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