

**City of Gig Harbor Planning Commission
Minutes of Work-Study Session and Public Hearing
Thursday, June 30, 2005
Gig Harbor Civic Center**

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

CALL TO ORDER: 6:00 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of June 21, 2005
Owel/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; amending 17.04.360 floor area; amending GHMC section 17.46.040 limiting the size of structures in the Waterfront Residential (WR) district; amending GHMC section 17.48.040 limiting the size of structures in the Waterfront Millville (WM) district; and amending GHMC section 17.50 040 limiting the size of structures in the Waterfront Commercial (WC) district.

Planning Manager Rob White distributed copies of the proposed ordinance along with comments from City Attorney Carol Morris asking that the whereas sections be expanded.

On the first issue of why a limitation on residential structures was being proposed, Planning Commissioner Marilyn Owel stated that in accordance with the mandate given by the City Council the goal was to maintain the look of the waterfront and public access opportunities of the waterfront it only made sense to also limit residential structures.

Commissioner Jill Guernsey agreed with the comments made by Commissioner Owel and added that what has been heard is that if something is blocking your view it doesn't matter if it's commercial or residential. When looking at the building size limitations it seemed appropriate to make this change at this time.

It was pointed out by Commissioner Jim Pasin that on April 26, 2004 the City Council recommended imposing building size limitations in these zones, which also agreed with the consultants recommendations.

Discussion was held on garages counting as part of gross floor area for some zones and not for others. Commissioner Guernsey stated that this was done in order to avoid

affecting other zones outside of the waterfront area by changing the definition of gross floor area.

Commissioner Owel pointed out that there are different minimum lot sizes in the different zones; therefore, different building size limitations make sense.

Chairman Allen added that they had been hearing from the public that what matters is mass and scale.

The Planning Commission discussed gross floor area vs. footprint. They noted that when actually looking at these zones WC uses footprint and WR doesn't use either one. It was asked what is the best way to limit size overall and it was decided that gross floor area was a better measurement. They discussed that you could end up with larger single story structures and that gross floor area is more likely to be a smaller structure with more stories and seemed to be more in keeping with the waterfront zones.

Commissioner Owel pointed out that using gross floor area also maintains consistency with the building code.

Commissioner Scott Wagner arrived at 6:25 pm.

Planning Manager Rob White asked the commission to formulate the whereas statements and then he would print out a draft ordinance for the public hearing portion of the meeting.

WHEREAS, the City Council in their meeting of April 25, 2005 directed that the Planning Commission make recommendations regarding building size limitations for residential structures in the waterfront zones, and;

WHEREAS, the Waterfront Residential zone did not include any building size limitation for residential or commercial structures, and;

WHEREAS, the Waterfront Millville zone did not include any building size limitation for residential structures, including single-family, duplex and multi-family; and;

WHEREAS, to promote consistency for establishing building size limits in the three waterfront zones, and;

WHEREAS, in the Waterfront Residential (WR) and Waterfront Millville (WM) zones measuring building size by gross floor area is in keeping with the natural character of the zones, and;

WHEREAS, in the Waterfront Commercial (WC) zone measuring building size by footprint and gross floor area per structure is consistent with the nature and character of the zone, and;

WHEREAS, the directive from Council was to maintain the scale and character of the waterfront areas, to consider the mass and scale of structures, and the existing pattern of development; and

WHEREAS, in order to maintain the size and scale of structures in the WR and WM zones, and to preserve views, garage areas in these zones need to be included in the building size calculations; and

WHEREAS, in the WC zone due to the more intense uses allowed in the zone, there is benefit to exclude garage areas from the calculation of building size; and

Commissioner Guernsey asked that in the third whereas of the proposed ordinance the word “learned” be changed to “recognized”, and suggested that a whereas be added regarding the definition of footprint.

WHEREAS, the existing code refers to “footprint” but does not provide a definition; and

WHEREAS, the code defines “floor area” but calculates building size based on “gross floor area”; and

Commissioner Owel suggested that the Planning Commission be allowed time to go over these proposed changes after the public hearing.

Planning Manager Rob White suggested that they recess for a set amount of time to allow staff to print revisions for everyone to review before opening the public hearing.

Commissioner Pasin clarified that the definition of footprint matches the definition in the Design Review Manual and Planning Manager Rob White answered that they were the same.

PUBLIC HEARING

Chairman Allen opened the public hearing at 7:00 pm

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; amending 17.04.360 floor area; amending GHMC section 17.46.040 limiting the size of structures in the Waterfront Residential (WR) district; amending GHMC section 17.48.040 limiting the size of structures in the Waterfront Millville (WM) district; and amending GHMC section 17.50.040 limiting the size of structures in the Waterfront Commercial (WC) district.

Planning Manager Rob White gave an overview of the proposed ordinance and explained that this was a result of direction from the City Council in order to address the moratorium currently in place. Mr. White then explained the table outlining the changes to building size regulations in the waterfront zones. He then clarified what changes had been adopted by Ordinance 995.

Charles Carlson, 3505 Harborview Drive – Mr. Carlson expressed concern with the timing of the adoption of the ordinances regarding non-conforming uses as he would be non-conforming once this ordinance is passed. He also asked if the state has to approve a change to the Shoreline Master Program.

Planning Manager Rob White answered that the non-conforming use ordinance will be considered at the July 21, 2005 meeting. He also stated that yes that state has to approve the change to the Shoreline Master Program and it may take several months.

Dave Morris, 6018 106th Ave NW, Gig Harbor – Mr. Morris stated that he had noticed that several of the building sizes were limited by square footage per lot and that there are different lot sizes allowed in each zone and asked if the Planning Commission had considered these lot sizes. Commissioner Guernsey answered that the lot sizes had been considered and that they also realized that there may be existing lots which are different than those currently allowed. Mr. Morris also asked if the Planning Commission had considered the waterfront areas in the UGA, such as the Purdy area.

Planning Manager Rob White confirmed that the proposed zoning for the waterfront area of the UGA is Waterfront Commercial. He further pointed out that the City Council could designate a different zoning designation at the time of annexation. Commissioner Wagner pointed out that since they were a part of the UGA and did receive city services they are still required at this time to comply with city zoning standards. Commissioner Guernsey pointed out that part of the problem had happened when Ordinance 995 was adopted and asked Mr. White how those properties would be rezoned prior to annexation. He answered that it would take a comprehensive plan map amendment.

Associate Planner Kristin Riebli referenced the comprehensive land use plan map and noted that the designation for the Purdy area is Business/Commercial, therefore, it would not take a comprehensive plan amendment.

Mr. White advised Mr. Morris to attend the City Council meeting at which the ordinance will be heard and make his views known to the City Council.

Commissioner Wagner pointed out that this area of Purdy is far from the existing city limits and suggested that the Planning Commission forward a recommendation to the City Council that they address this situation. Commissioner Owel asked if staff could draft a memo with that recommendation. Mr. White agreed to draft a memo to go along with the proposed ordinance recommending that the City Council take a look at the zoning on the Purdy waterfront.

Lita Dawn Stanton, 111 Raft Island, Gig Harbor - Ms. Stanton thanked the Planning Commission for the work they had done limiting sizes on the waterfront. She suggested the term “existing patterns of development” as used in the Design Manual, be used in addition to the phrase “maintain scale & character” in the proposed ordinance. She then asked if there is a difference between garage area and a garage structure and if a parking lot is a garage area.

Commissioner Guernsey referred her to the definition of gross floor area as it states that it does not include garages. She clarified that in Waterfront Commercial garages would not be part of gross floor area, but in Waterfront Residential and Waterfront Residential it would count. She further stated that there is a definition of garage and it is not the same as a parking lot.

Ms. Stanton additionally stated that she felt it was better to simply address mass and scale of structures in this ordinance rather than view preservation because if view preservation is the issue then we should be addressing trees, hedges and fences which also block views. She then asked for an explanation of how gross floor area would be calculated. Planning Manager Rob White explained it to her.

Ms. Stanton then asked about the value of having all development exceeding a certain threshold on the waterfront be sent to the Design Review Board. Commissioner Owel stated that the Planning Commission had not examined that possibility as that was not part of what the City Council has asked us to do.

Chuck Hunter, 8829 Franklin Ave., Gig Harbor – Mr. Hunter also asked the commission to remove the reference to views. He stated that what it is really about is the size and scale of downtown Gig Harbor, not views. Mr. Hunter stated that he was concerned with underground garages as one side of them is delighted and just looks like a black hole from the water. He further stated that they can be done in a way that hides the entrance and felt that the square footage limitation could be increased and allow underground garages if done appropriately.

Commissioner Guernsey asked if this wasn't something that should be addressed in the Design Review Manual. Mr. Hunter stated that he would like to see all garages have to go to Design Review or change the wording to say underground garages.

Commissioner Wagner stated that he felt that underground parking was better than having huge parking lots especially since there was a parking problem in downtown.

Mr. Hunter asked if the public would be given an opportunity to see the proposed ordinance before it goes to council. Commissioner Owel stated that all the documents are part of public record and easily obtained from the Planning Department.

Commissioner Owel addressed the idea of eliminating the reference to views in the whereas statements of the ordinance. She stated that the primary reason stated by the public for wanting small scale buildings was to maintain views and public access. She stated that she was not willing to eliminate this language. Chairman Allen agreed that it was views that were the reason behind these proposals.

Bruce Steel, 6610 Sunnybay Rd NW, Gig Harbor – Mr. Steel asked if the Planning Commission would rather see a 35 car asphalt parking lot or have all the parking underground.

Commissioner Guernsey stated that they were not eliminating parking garages. She clarified that in WR and WM they will be calculated as part of your building size and that it didn't matter whether a structure was parking or not. She asked Mr. Steel if he felt that parking structures should be a preferred use in the waterfront zones. He answered that he felt that the Planning Commission should do everything they can do eliminate parking lots. Ms. Guernsey clarified that he was asking them to change the ordinance to allow underground parking without size limitations. Mr. Steel stated that yes he felt that underground parking should be encouraged and noted that the comprehensive plan discourages parking lots in these zones.

Mr. Steel went on to voice his feeling that underground parking was better than looking at an expanse of asphalt.

Commissioner Guernsey reiterated that she felt that the City Council had not asked the Planning Commission to look at the issue of parking and that this was not the appropriate time to address this.

Commissioner Owel also stated that she felt that it was important to stay with the issues the City Council had asked them to address and lift the moratorium.

Chairman Allen closed the public hearing.

Commissioner Wagner asked about the issue raised by Charles Carlson regarding the proposed changes to the Shoreline Master Program.

Planning Manager Rob White stated that he had discussions with the Department of Ecology and the process for updating the Shoreline Master Program. Mr. White went over the process and stated that the Department of Ecology had stated that since this was a minor change it may only take 3 months.

Chairman Allen noted that the non-conforming use issue was scheduled for a public hearing on July 21, 2005 and it should be discussed then.

The Planning Commission held a short recess to read over and review the ordinance.

Chairman Allen called the meeting to order.

Commissioner Guernsey stated that she felt that she wanted to get this ordinance on to the City Council and get the moratorium lifted. She suggested that in the fifth whereas they add the language "and existing pattern of development" and add a new whereas stating "based on these considerations the building size of structures in all waterfront zones needed to be addressed;". Ms. Guernsey further suggested that they strike the words "character of" and replace them with "uses allowed in" in the whereas regarding the Waterfront Commercial zone.

Commissioner Owel suggested that in the last whereas about preserving views, the language be changed to read "and to preserve the physical connection and visual

accessibility to the waterfront as expressed in the comprehensive plan". She then read the exact language from the comprehensive plan. It was decided to change the language to reflect what was stated in the comprehensive plan as follows, "in order to maintain the size and scale of structures in the waterfront and Waterfront Millville zones and because of the natural beauty of the water within the harbor views and vistas to and from the water should be preserved and developed by the city and private parties alike". It was decided to also add a reference to the section of the comprehensive plan.

MOTION: Move to recommend approval of the proposed ordinance with the proposed changes.
Guernsey/Wagner – unanimously approved.

NEXT REGULAR MEETING:

July 7, 2005 at 6:00pm – Work Study Session

ADJOURN:

MOTION: Move to adjourn at 9:30 p.m.
Pasin/Owel – unanimously approved

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