

**City of Gig Harbor Planning Commission
Minutes of Work-Study Session
December 7th, 2006
Gig Harbor Civic Center**

PRESENT: Commissioners Jim Pasin, Jill Guernsey, Theresa Malich, Joyce Ninen, Harris Atkins, Jeane Derebey and Chairperson Dick Allen. Staff present: Jennifer Kester, Kristin Udem, Tom Dolan and Diane Gagnon.

CALL TO ORDER: 6:00 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of November 2nd, 2006 as written.
Pasin/Ninen – motion passed unanimously.

NEW BUSINESS

Chairman Dick Allen welcomed Jeane Derebey to the Planning Commission.

Planning Director Tom Dolan went over 2007 work program. He explained that the 2007 budget contains \$35,000 for Kurt Latimore to facilitate a review of the design review process. Mr. Dolan said that he will see that the Planning Commission gets a copy of the report done by Mr. Latimore as the major constraint was identified as design review. He explained that Mr. Latimore will be contacting all of the Planning Commission members to determine what issues they see in the design process and that Mr. Latimore will probably be attending a Planning Commission meeting in January to discuss these issues.

Ms. Dereby asked about receiving a list of what Mr. Latimore had worked on in the past and Mr. Dolan stated that he would get that information from Mr. Latimore. He also went over the number of carryover text amendments and noted that the next one will probably be for underground garages. He then explained the proposed flood plain ordinance and that the city is out of compliance with the state and FEMA and their standardized flood plain ordinance. He said that the Building Official/Fire Marshal and the City Attorney have asked that we have a proposed ordinance reviewed by the Planning Commission to be placed in the critical areas section of the code. Mr. Dolan stated that at the next meeting Building Official/Fire Marshal Dick Bower will be in attendance to go over the proposed ordinance.

1. City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335 – Proposal by the City Council to remove the 5,000 square feet per lot limitation on nonresidential buildings in the RB-1 zone (ZONE 06-06-1390) and replace it with a per structure limitation.

Associate Planner Kristin Udem explained that in October we began this text amendment as proposed by the City Council after they had asked Perteet to perform an analysis of the building size limitations and had determined that the current per lot limitation would encourage short platting. She stated that they should have received several maps of RB-1 areas and some

examples of how they could be used. She noted that 45% of them are sub-dividable and 87% of those sub-dividable are considered underdeveloped.

Senior Planner Jennifer Kester addressed how underdeveloped is defined as not being developed to the highest and best use or it is vacant. She further explained that if the land value is higher than the value of the building then it is considered underdeveloped.

Commissioner Jill Guernsey arrived at 6:18.

Jim Pasin said that he noticed that many of these parcels are adjacent to residential property and by allowing the 5000 square feet with building separation you are not accomplishing anything. He said that he felt that these parcels were improperly zoned. He pointed out the piece on Rosedale that was surrounded by residential.

Commissioner Harris Atkins agreed and stated that he didn't feel the proposed change met the intent of the zone. He also agreed that the restriction didn't make sense on the larger pieces of property; however, there were many that needed to be rezoned.

Ms. Kester stated that if the Planning Commission wanted to look at rezoning, we would need to take that to the City Council. Mr. Dolan noted that one of the alternatives they have is to make a recommendation on the draft ordinance along with a recommendation that the Planning Commission look at rezoning some of the RB-1 properties.

Mr. Pasin said that there were many things to consider with each of the properties, they need to be examined individually and that there were very few that should be RB-1. It was reiterated by Commissioner Jill Guernsey that they should look at each piece and she asked if there was any discussion or support from the Planning Commission for what the proposal says.

Commissioner Joyce Ninen said that she was the most concerned with the area at Stinson and Rosedale and as it goes from R-1 to RB-1. She asked if the existing use was non-conforming and Ms. Kester explained that it was a legally non-conforming use. Mr. Dolan asked if they would like to schedule this issue for a public hearing before making a final decision.

Mr. Pasin voiced concern that they would only be getting input from RB-1 property owners on changing the square footage allowance. He suggested that they recommend rezoning and hold a public hearing on that. Commissioners Ninen and Guernsey agreed that it seemed to be a more logical sequence.

MOTION: Move to recommend denial of the proposal to remove the 5000 square feet per lot limitation in RB-1 until such time as we examine the RB-1 properties for possible rezoning. Pasin/Atkins -

Chairman Allen pointed out that in the staff recommendation it states that a single family residence shall be required to maintain a dense 30' vegetative buffer and wondered why you would buffer a house from a house. Ms. Kester said that is the way the code reads and suggested that perhaps it should say any non-residential development abutting a single family residence shall have a buffer and noted this could be looked at during a rezone process.

Chairman Allen called for the question and the motion passed unanimously.

2. City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335 – Proposal by the City Council to exempt net sheds from the building size limitations (ZONE 06-1455).

Chairman Allen recused himself from this item on the agenda. Ms. Guernsey asked on what basis he was doing so and he said that it was based on the state statute that would require him to recuse himself as he may have some personal profit from the outcome. Ms. Guernsey said she didn't see the need. Mr. Pasin said that he agreed that Mr. Allen should recuse himself. Ms. Guernsey stated that since they were only dealing with the 17 properties with existing net sheds and he didn't own one, she didn't see the conflict. She pointed out that the council hadn't indicated that this was in response to a lawsuit and that he had already participated. She continued by saying she felt that it was improper and unfair.

Mr. Dolan said that there had been discussion of whether this text amendment would apply to other properties so perhaps that was the concern. Mr. Allen decided that if the commission stuck to discussing the 17 existing net sheds, he would not recuse himself.

Mr. Atkins said that the proposed definition only addresses those 17 net sheds. Ms. Ninen stated that she didn't think that the exemption in and of itself would protect the net sheds and was wondering if the city could give incentives for historic preservation such as some annual amount (\$500) to entice the owners to keep their net sheds.

Mr. Pasin asked if Chairman Allen had come to a conclusion about his participation in the discussion and Mr. Allen said that he would stay. Mr. Pasin said that he thought that Mr. Allen should recuse himself but if he felt comfortable with the decision to stay on topic then he would agree to it.

Commissioner Guernsey asked why net shed owners should get more benefits than anyone else who has a historic property. Mr. Dolan answered that perhaps the council was thinking that there was a disincentive since there is such a restrictive size limitation in the waterfront zones. He further noted that some of the net sheds have been added on to and the position staff would take would be that only the historic portion of the original net shed would receive this benefit. Mr. Atkins asked if during the historic designation process that original portion could be identified and Ms. Kester answered that yes, that would be part of the criteria.

Mr. Atkins pointed out that there is no incentive to keep a net shed. Ms. Kester said that they would not be allowed to refurbish their net shed in a way that is not historic. Ms. Guernsey asked how the proposal would apply to the Puratich site, noting that some have been added on to.

Mr. Allen asked about someone wanting to rebuild their net shed. Ms. Kester said that they could not rebuild the net shed as it would be non-conforming. She further explained that if your net shed was on the historic registry and you made repairs to it that were approved by the DRB as being historically accurate, then the cost of the repairs would be deducted from your assessed improvement value, thus reducing your taxes. Mr. Allen asked for clarification and if they would be allowed to remove a building and rebuild. Mr. Dolan explained that they could

remodel, not rebuild. Ms. Ninen asked if there had been any discussion with the net shed owners and Mr. Dolan replied that there had been none.

Ms. Malich reminded everyone that basically they had to decide whether to allow this exemption or not. Ms. Guernsey said that she would agree to an exemption of a fixed amount. Ms. Kester reminded them that there still needs to be parking for these structures and they must meet the impervious coverage requirements. She stated that the uses allowed in a net shed are rather limited. She stated that if the intent is to retain these historic structures, if they only exempt a portion of it that doesn't accomplish the City Council's intent. She cited the example that the larger net sheds would not be receiving the same amount of benefit.

Mr. Allen asked what is gained by historic reservation and Mr. Pasin replied that there is a historic preservation ordinance that the community supports and the commission should support that. Mr. Dolan said that the danger in not having them on the historic registry is that they could refurbish the net sheds into something not architecturally sensitive.

Planning Director Tom Dolan announced that the January 4th meeting would be cancelled as staff will be meeting with the DRB to review the hospital. Ms. Kester asked if the Planning Commission wanted to still bring the net shed ordinance to a public hearing at the December 21st meeting. There was agreement that there should be a public hearing held on the proposed ordinance at the December 21st meeting.

There was discussion of whether all of the 17 were actually historic net sheds or whether some had been refurbished to an extent that made them no longer historic. Mr. Dolan said that the actual addresses of these structures were not in the proposed ordinance in case there were additional historic net sheds discovered or if we annexed an area then it would require us to go through changing the ordinance.

Jeane Derebey asked if the historic nomination process would include determining which portion would be the historic portion or what had been added on. Ms. Kester said that in general terms only the historic portion would be considered.

MOTION: Move to forward the ordinance as drafted for public hearing. Pasin/Malich – Motion passed unanimously.

Commissioner Atkins suggested that perhaps in the future they should look at the historic preservation ordinance.

ADJOURNMENT

Move to adjourn at 7:35 p.m.
Guernsey/Malich – Motion carried

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