

**City of Gig Harbor Planning Commission
Work Study Session and Public Hearing
City Council Chambers
December 1, 2011
6:00 pm**

PRESENT: Harris Atkins, Reid Ekberg, Jim Pasin, Bill Coughlin, Craig Baldwin and Jill Guernsey. Michael Fisher was absent.

STAFF PRESENT: Staff: Tom Dolan, Jennifer Kester and Diane McBane

CALL TO ORDER: at 6:00 p.m.

APPROVAL OF MINUTES:

It was decided that the approval of the minutes would be deferred until the next meeting as there had not been an opportunity for everyone to read them ahead of the meeting.

PUBLIC HEARING

Downtown Parking - Public hearing to solicit community feedback on the following proposed amendments to the regulations for parking on private property in the downtown commercial areas:

1. Expand and make permanent the interim ordinance which allows existing buildings to change uses without triggering additional parking requirements provided the shell of the existing building is maintained. Under the proposed change, this provision would apply to all buildings existing as of January 1, 2012 in the Downtown Business (DB) , Waterfront Commercial (WC), Waterfront Millville (WM), General Business (B-2), Commercial (C-1) and Residential and Business (RB-1) districts abutting Harborview Drive and North Harborview Drive and within the View Basin Neighborhood Design Area. (GHMC 17.72.075)
2. Allow for off-street/off-site parking lots up to 500 feet away from a business. Current regulations limit the distance to 100 feet. (GHMC 17.72.020(B))
3. Expand the provisions which allow joint use of parking spaces in the Downtown Business (DB) and Waterfront Commercial (WC) district to the Waterfront Millville (WM), General Business (B-2), Commercial (C-1) and Residential and Business (RB-1) districts abutting Harborview Drive and North Harborview Drive and within the View Basin Neighborhood Design Area. Required parking spaces could be shared between different uses provided those uses include both daytime and nighttime peak uses (GHMC 17.72.060)
4. Allow marina owners to lease parking spaces to the employees of downtown businesses without requiring additional parking stalls be built or allocated. This amendment would occur as part of the Shoreline Master Program update if approved.

Chairman Atkins opened the public hearing at 6:05 p.m.

Bob Frisbie, 9720 Woodworth Ave., Gig Harbor

Mr. Frisbie voiced his concern with the addition of the WM zone. He felt that the parking requirements had controlled the development in WM and he wanted it to stay that way. He noted that he had submitted a letter to that effect. He also noted that he had noticed tonight that the amendment of 17.72.075 may not be intended to change WM.

Ms. Kester stated that the only portion of these amendments that would apply WM would be the allowance of an existing building to change use without requiring additional parking and the allowance of shared parking for uses which had peak usage at different times. She also noted that the extension of 100' to 500' would also affect WM.

Mr. Frisbie additionally wondered if there would be an enforcement issue. He then suggested sitting down with the City Administrator and the Mayor and break down the waterfront into areas and gather their gross income in order to actually see the affect of some of these changes.

Carl Halsan, P.O. Box 1472, Gig Harbor

He applauded the commission and staff for this suggested change to the code. He felt that this was an important change that will help the downtown. He noted that he had several projects that had left exclusively because of parking. He noted that as a resident he doesn't expect tons of parking downtown and knows that he may have to park further away. He urged the commission to pass it on to the City Council as soon as possible.

John Moist, 3323 Harborview Dr., Gig Harbor

Mr. Moist also commended the commission on their thoughtful insight, especially in considering expanding it into other zones. He thanked the commission for addressing this important yet controversial matter.

Bruce Gair, 9301 N Harborview Dr., Gig Harbor

Mr. Gair wondered where the parking was located and felt that this parking change was going to impact businesses. He noted that he had a sign that said we neither enforce nor endorse the 2 hour parking. He stated that the church now hates local businesses. There are not enough parking spaces or cooperation required to accomplish this. He said that he had talked to some elected officials who felt that perhaps they had over reacted. He didn't think that most of the marinas would be able to sacrifice parking.

Debra Ross, 8820 Franklin Ave., Gig Harbor

Ms. Ross stated that she owns 3411 Harborview Dr. and wanted to thank the commission and supported the amendments. She agreed with expanding the amendments to other zones besides DB.

Steve Lynn, 9014 Peacock Hill Ave. NW, Gig Harbor

He thanked the commission for adding tools to the tool belt and for providing this flexibility. He supported the amendments.

Commissioner Atkins closed the public hearing at 6:20 p.m.

WORK-STUDY SESSION

Ms. Kester noted the written comments provided to the commission pointing out that Mr. Frisbie spoke tonight about his written comments and the other two comments received were in support. She then went over the language that she had provided.

17.72.020 was the expansion of the off-site, off-street distance to 500'

17.72.060 was the joint use provision and expansion of that to all nonresidential zones within the view basin. She noted the criteria for this provision.

17.72.075 was the provision for existing buildings to change use without adding additional parking and the expansion of this provision to other zones.

She noted that the provision for leasing marina parking to employees of other businesses was not part of this amendment but would be considered as part of the Shoreline Master Program update. Mr. Atkins said that he would like that noted in their recommendation to the City Council.

Mr. Pasin stated that he was glad to hear the support for this proposal and also voiced his support. He stated that he would like to have paragraph 17.72.075 have a note in the recommendation that suggests to the city council that they consider this provision for all zones within the city. Mr. Ekberg felt that our responsibility was to focus on the downtown area. Ms. Kester noted that there was no public hearing on that issue so it could be noted that it would have come back for the Planning Commission to consider. Mr. Atkins said that he didn't feel that the commission had thought that idea through and that their job here was to look at the downtown. Mr. Pasin still felt that the commission should ask them to consider the change.

Ms. Guernsey voiced concern with the language regarding restricting it to buildings built before January 1, 2012. Ms. Guernsey asked about a situation where a building was built on January 2, 2012 and what would happen then. She suggested that the language could perhaps be that a building had to have existed for a certain amount of time. Ms. Kester agreed that is another way to approach it, but wondered what would be the proper time frame. Mr. Dolan said that in Tacoma a similar regulation existed and they just stated that all buildings in existence in the implementation of the ordinance. He suggested perhaps using an either/or kind of language. Ms. Kester

wondered what time frame makes people feel that the building is part of the fabric of the downtown and should be maintained.

Mr. Moist stated that the design manual makes any building built today “Gig Harbor”. He also posed the question as to whether the building would have to be occupied during the time. Everyone agreed it wasn’t tied to occupied or not, it was about how long the building has been in existence.

Mr. Dolan suggested 3 years since a land use permit is good for 3 years. Mr. Coughlin said that we are trying to stimulate business downtown and what if someone can’t fully occupy their building.

Mr. Lynn stated that by the time you get to occupancy business climates change and it’s from the time you permitted not from occupancy.

Mr. Atkins stated that he wasn’t sure they needed the date. Mr. Dolan felt that was a bad idea. Ms. Kester gave an example that someone built a 6000 sq ft building as industrial level one use and that would only require 6 parking stalls. Now they can make it a 6000 square foot restaurant without providing parking. She stated that this could create a significant parking problem.

Ms. Guernsey asked what other trigger point that we could tie it to. Ms. Kester said that we would have to ask the Building Official about possibly using a shell occupancy rather than individual tenant occupancy. Ms. Guernsey suggested using the January 1, 2012 or a building receiving a shell occupancy permit 3 yrs or more ago.

Mr. Frisbie suggested that a percentage could be used as to how much the parking regulations had changed.

Mr. Pasin felt that using the language regarding the shell occupancy was the way to go.

Mr. Coughlin stated that 3 year time frame favored someone with deep pockets who could afford waiting the 3 years.

Mr. Moist cautioned that too many exceptions will just require us to have to come back and have to discuss this again.

Mr. Pasin asked staff to find the appropriate term to have the final language for a modified recommendation on this ordinance at next meeting. Mr. Atkins agreed and asked that staff develop language.

MOTION: Move to ask staff to develop the language with the recommendations in the draft presented tonight and change the last section 17.72.075 so that after the words “existing after January 1, 2012” we add the words “or for which a shell occupancy permit had been issued at least 3 yrs previously”. With that change these recommendations should go forward with a recommendation for approval to the City

Council and that Mr. Katich will work on language for the item #4 as part of the Shoreline Master Program. Guernsey/Coughlin -

MOTION: Move to amend the motion to ask the City Council to consider the amendment to 17.72.075 for all zones within the city. Pasin/Baldwin –

Ms. Guernsey voiced her concern with the amendment as she didn't want this to slow down the effort to help the parking downtown and she didn't see the problem with parking in other parts of the city. Mr. Ekberg said that this was about downtown.

Mr. Atkins made a friendly amendment to Mr. Pasins motion as he would like the commission to do more research on this issue rather than suggesting that they amend the current ordinance. Ms. Guernsey clarified that everyone was willing to examine it if the council wants us to but to not include it with these modifications. She felt that they should ask for that separately rather than including it with this ordinance. She stated that it could be in the memo to council asking them to direct the commission to look at other areas of the city. Mr. Pasin agreed that that was a good approach.

Mr. Pasin withdrew his amendment and it was decided to add a note to the memo to council.

The original motion passed unanimously.

A 5 minute break was called at 7:05 pm

Mr. Dolan went over the upcoming schedule. He stated that he was asking for the parking recommendation to come back to them at the first meeting in January and he didn't see a need for a second meeting on December.

Discussion was held on the Planning and Building committee meeting next Monday night. He stated that it has been requested by the Mayor that the Planning Commission and Planning and Building Committee delay the discussion on the continued review of downtown regulations until February because the Mayor is working on some proposed changes and a framework for those changes. Mr. Dolan noted that the chair of the Planning and Building Committee had concurred with the Mayor's request. It was noted that the Council committees change at the beginning of the year. Mr. Atkins stated that it will be good to have the meeting with the members who will be on the committee in 2012.

He noted that the Planning and Building Committee will be discussing a text amendment for setbacks in waterfront districts. They will be assigning that text amendment to the commission in January. The committee will be asking the council to amend the commission's work program to accommodate the amendment. Mr. Dolan stated that the Commission was going to be working on the interim ordinance for cannabis collective gardens and making that permanent or modifying it. He stated that the City Attorney had identified that the interim regulations were only approved for 9

months and they can run for a year, so she is going to suggest that the council extend it another 3 months in order to see what other jurisdictions are doing.

He noted that one of the other issues is that the Peninsula School District has proposed to move the community inclusion program where they teach disabled students life and job skills into an area zoned B-2 and it doesn't allow schools of any kind. Mr. Dolan continued by saying that a text amendment may be coming their way and the Planning and Building Committee may be asking for direct consideration of this matter. Discussion was held on why schools were not added as a permitted use in the B-2. Ms. Kester noted that they are waiting to see if the school district wanted to have it outright permitted or as a conditional use. Everyone agreed that the recommendation should be that it be a conditional use and that all schools be included and then they would agree to the direct consideration.

Ms. Kester also noted that there is a group of housekeeping changes that will be going before the Planning and Building Committee and then staff will bring that to the commission to see if they want to review it or have it go to direct consideration.

Mr. Atkins noted that tonight was Ms. Guernsey's last night as she has been elected to the City Council and thanked her for her dedicated service to the Planning Commission. She thanked everyone and expressed how much she had learned.

ADJOURNMENT

MOTION: Move to adjourn at 7:40 p.m. - Guernsey/ Coughlin – Motion carried.