



**Agenda Planning Commission  
Gig Harbor Civic Center  
Thursday, April 29<sup>th</sup>, 2021 5:00 P.M.**

Due to public health concerns, this meeting will be accessible to listen by using the information below:

**Link to join Webinar**

<https://zoom.us/j/99719361334>

Call-in: (253) 215- 8782 Meeting ID: 997 1936 1334

**5:00 p.m. - Call to order, roll call**

**Approval of Minutes:** April 15, 2021 Meeting



**Agenda Items**

I. Shoreline Master Program Amendment: Public Art – Study Session



**Other Business**

Next Meeting May 6, 2021 6:00 PM Joint Public Hearing

**Adjournment**



**DRAFT Minutes Planning Commission  
Gig Harbor Civic Center  
Thursday, April 15<sup>th</sup>, 2021 5:00 P.M.**

**5:00 p.m. - Call to order, roll call** Commissioner Krawczyk, Commissioner Grina, Commissioner Brown, Commissioner Soltess, Chair Hoeksema & Commissioner Bradbury joined at 5:10  
Carl de Simas, Senior Planner; Kim Mahoney, Associate Planner; Michelle Thomas, Planning Technician

**Approval of Minutes** April 1, 2021 Meeting Motion Grina/Krawczyk all in favor minutes approved as written



**Chair Report** attendance of City Council meeting, volunteer appreciation week and open Council positions

**Agenda Items**

I. **Shoreline Management Program** –Public Art Regulation – Discussion Staff and Commission: Public Art Definition, Public Art in the Wetland Buffer, and criteria



**Other Business**

Next Meeting April 29, 2021 Special Meeting if needed will keep on the calendar and make decision by April 22<sup>nd</sup>, 2021

May 6, 2021 6:00 PM Joint Public Hearing expectations and Planning Commissioner's roles and different start time

**Adjournment** Motion Brown/Soltess all in favor meeting adjourned at 6:16



## Staff Memorandum

TO: Planning Commission

FROM: Carl de Simas, Senior Planner  
Planning Division

SUBJECT: Shoreline Master Program Amendment: Public Art  
Study Session #3: April 29, 2021

DATE: April 27, 2021

At the upcoming Planning Commission Special Meeting on April 29, 2021, the Planning Commission will be studying additional proposed amendments to the Shoreline Master Program (SMP) related to recognizing Public Art as a permitted use in certain Shoreline Environmental Designations.

At the Planning Commission's previous meeting on April 15<sup>th</sup>, staff introduced two recommended amendments to the draft language in Chapter's 2 and 6 of the SMP. These recommendations were relative to the draft Public Art definition and permitted uses in a wetland buffer. During the discussion on these items, Commissioners asked staff to consider amending the definition to include some elements of a proposed definition presented by the Commission Chair. Of particular interest to the Commission was the idea of including mention of a public process to the definition. Also, staff was asked by the applicant to consider adding the public right-of-way as an allowed location for public art, which was briefly presented to the Commission.

As directed, Staff studied the definition for Public Art and the addition of allowing public art within the public right-of-way. For Planning Commission's consideration, Staff proposes the following amendment to the draft definition:

### **Public Art**

"Public Art" means original works of visual art that have been created **through a public process** with the specific intent to be displayed **in on publicly-owned lots and in public right-of-way** spaces for ~~community~~ **the general public's** enjoyment and education. These include but are not limited to sculptures, statues, interpretive displays, and memorials intended to reflect the City's historical or cultural significance to the community.

At the study session on April 15<sup>th</sup>, staff also proposed the idea of incorporating the public right-of-way into the definition of public art and including it as an allowed location for public art within the shoreline jurisdiction. Staff has reviewed the idea and has found that it is feasible. The attached exhibit incorporates all of the staff recommended amendments to the SMP, including where the public right-of-way has been incorporated.

Lastly, the Department of Ecology has reviewed an earlier draft of the Staff Recommendation and provided some comment and feedback. Most of what was noted in that review had already been caught and amended to, at least, closely resemble their recommendations. One of note, however, is relative to the policy language proposed under 7.22.1.B. Here are the suggested edits:

## **7.22.1    Policies**

### **B.    Location**

~~Give preference to~~ ***Encourage the placement of*** public art ***in combination with public access viewpoints*** ~~located on or near the shoreline to facilitate~~ ***and enhance*** the public's ability to reach and enjoy the water's edge and to view the water and the shoreline. Where appropriate, public art should be dispersed along the shoreline to support the public's recreational or beach access and aesthetic enjoyment of the shoreline.

Should you have any questions, please contact me at 253-853-7628. Thank you.

April 29, 2021

PL-COMP-21-0003

Shoreline Master Program Amendment: Public Art

Staff Recommended Amendments

1. Add a new definition for Public Art:

## **Chapter 2 Definitions**

### **Public Art**

“Public Art” means original works of visual art that have been created through a public process with the specific intent to be displayed on publicly owned lots or in public right-of-way for the general public’s enjoyment and education. These include but are not limited to sculptures, statues, interpretive displays, and memorials intended to reflect the City’s historical or cultural significance to the community.

2. Add a new subsection to allow public art within the Vegetated Conservation Strip:

### **6.2.4 Regulations – Vegetation Conservation Strip**

- 9) Public art consistent with Section 7.22 of this Program may be located in the required vegetation conservation strip or critical area buffer. All provisions of Subsection 6.2.4.4 above shall apply to the installation of Public Art. The area required for installation of the public art shall be applied to the maximum 15% clearing allowed for the marine vegetation conservation strip or critical area buffer as set forth in Subsection 6.2.4.4 above.

3. Add Public Art as a permitted use in wetland buffers areas:

#### **6.2.5.13 Wetlands – Permitted Uses in Buffer Areas**

- 2) Public art is permitted within the wetland buffer; provided, that the location of such public art will not degrade the functions and values of the wetland, and any impacts are mitigated through the requirements of Section 6.2.5. In the case of Category I wetlands, the minimum distance from the wetland edge is not less than 75 percent of the Category I buffer width established in Section 6.2.5.11. Public art subject to this provision is permitted only when consistent with Chapter 7.22.

4. Add Public Art to the permitted use table:

## 7.1.1 Permitted Use Tables

<b>Shoreline Modification</b>	<b>Shoreline Environment Designations</b>					
	<b>Natural<sup>2</sup></b>	<b>Urban Conservancy</b>	<b>Low Intensity</b>	<b>City Waterfront</b>	<b>Historic Working Waterfront</b>	<b>Marine Deepwater<sup>2</sup></b>
<u>Public Art (Section 7.22)<sup>7</sup></u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

<sup>1</sup> Any method involving vehicles upon the shoreline, whether for access or harvest, shall be prohibited within the Natural Environment

<sup>2</sup> Hydraulic harvest utilizing water jets should use low-pressure jets with an inside tip diameter of 5/8 inch or less. The jets shall be hand held and under the control of the operator and nozzle pressure should be limited to 100 psi, measured at the pump.

<sup>3</sup> Refer to subsection 7.12.2 for limitations on commercial development within the Urban Conservancy and Low Intensity SED's

<sup>4</sup> See section 7.16 for additional requirements that apply to historic net sheds

<sup>5</sup> Uses not specifically permitted or conditionally permitted are prohibited.

<sup>6</sup> See subsection 7.19.2.5 for allowable signs in the Marine Deepwater SED

<sup>7</sup>Public art is permitted only on City-owned lots or the public right-of-way.

5. Add new Section 7.22 Public Art:

## 7.22 Public Art

It is the goal of the City of Gig Harbor to encourage the public enjoyment and education of memorialized historic, cultural, and archeological significance to Gig Harbor's heritage by allowing the installation of public art on city-owned lots or the public right-of-way within certain shoreline environment designations.

### 7.22.1 Policies

#### A. Visual obstruction

Design and locate public art in such a manner that it minimizes visual obstruction of the shoreline and marine waters.

## B. Location

Give preference to public art located on or near the shoreline to facilitate the public's ability to reach and enjoy the water's edge and to view the water and the shoreline. Where appropriate, public art should be dispersed along the shoreline to support the public's recreational or beach access and aesthetic enjoyment of the shoreline.

## C. No net loss

Installation of public art should ensure no net loss to shoreline ecological functions and processes.

## D. Materials

Public art should select materials based on long-term durability, ease of maintenance, compatibility with local shore features and habitat, and aesthetic values.

## E. Coordination

Coordinate proposals for the installation of public art with affected property owners and with the City of Gig Harbor Arts Commission to ensure it is consistent with the goals of this section and the overall goals of this Program.

## F. Consistency with other plans

Public art shall be planned, designed, and implemented consistent with the goals established in the City's Comprehensive Plan and Parks, Recreation and Open Space Plan, as applicable.

## **7.22.2 Regulations**

- 1) Public art shall be limited to a maximum impervious lot coverage of 200 square feet or 1% of the lot size, whichever is less. Public art shall otherwise conform dimensionally to the requirements of Table 7-3, Bulk Dimensional Standards Matrix, and Table 6-1, Vegetation Conservation Strip Setbacks for Marine Shorelines, as applicable. Public art is prohibited waterward of the Ordinary High-Water Mark.
- 2) Proposals for the installment of public art that involve any clearing, grading, or impervious surface shall include a landscape plan. Native, self-sustaining vegetation shall be used as often as practicable. The removal of on-site native vegetation shall be limited to the minimum necessary for the development of selected viewpoints and shall be subject to Section 6.2.4 (Vegetation Conservation) of this Program.
- 3) Public art shall incorporate appropriate mitigation to minimize light and noise impacts on adjoining land uses, as applicable.

- 4) Public art may include associated amenities, including, but not limited to: pedestrian paths, benches, and interpretive signs.
- 5) Public art shall be subject to Section 6.2.2 (No Net Loss and Mitigation) of this Program.