

1. 6:30 P.M. Gig Harbor Peninsula LUAC-Agenda

Documents:

2 14 18 PAC Agenda.pdf

Gig Harbor Peninsula LUAC-IPR Ghidella/Helling/Wright/Gaines

Documents:

Ghidella-Helling-Wright-Gaines SD IPR PAC-TB.pdf



MEETING AGENDA
GIG HARBOR PENINSULA ADVISORY COMMISSION
February 14, 2018 at 6:30 p.m.

City of Gig Harbor, 3510 Grandview Street, southeast entrance, Gig Harbor, WA

Public comment will be limited to 3 minutes per speaker. If possible, please have a spokesperson for people with similar views.

NEW BUSINESS

Shoreline Substantial Development Permit, Shoreline Conditional Use Permit:

[Ghidella/Helling/Wright/Gaines](#)

Applications 875981, 875982, 875983

Applicant: Sean and Julie Ghidella

Planner: Ty Booth, ty.booth@co.pierce.wa.us

Request: Accessory to four parcels (each under different ownership and developed with single-family residences) the following is proposed:

- Demolish an existing private “L”-shaped, 124-ft. long by 16-ft. wide, community dock.
- Construct a new dock located approximately 75 ft. south of the site. The new dock would be “T”-shaped and measure 160-ft. long by 68-ft. wide and would consist of more pier (less floating dock) and have grated surfaces.
- Two boatlifts (20- by 10-ft.) would be attached to the inside of the “T”.
- Two buoys would be located 260 ft. from the shoreline (in front of the dock).
- Small stairs would be located on the landward end of the dock to provide access to the dock and beach.

The project site is located on the east shoreline of Horsehead Bay in the Rural-Residential Shoreline Environment, a Rural 10 (R10) zone classification, and the Gig Harbor Peninsula Community Plan area, at 10612, 10710, 10818, and 10820-34th St. Ct. NW, in Council District #7.

Election of Officers

OLD BUSINESS

Approval of Minutes (December 13, 2017)

OTHER BUSINESS

Initial Project Review

Shoreline Substantial Development Permit/Shoreline Conditional Use Permit: Joint-Use Dock, Boat lifts, Buoys, and Beach Access Stairs (Ghidella / Helling / Wright / Gaines)

Application Numbers: 875981, 875982, 875983
Parcel Numbers: 0121218027 / 0121218028 / 0121218029 / 0121218030

Gig Harbor Peninsula Advisory Commission (PAC) Meeting: February 14, 2018, at 6:30 p.m.,
City of Gig Harbor, 3510 Grandview, southeast entrance, Gig Harbor, WA 98335

Proposal: Accessory to four parcels (each under different ownership and developed with single-family residences) the following is proposed:

- Demolish an existing private “L” shaped, 124-foot long by 16-foot wide, community dock.
- Construct a new dock located approximately 75 feet to the south on the site. The new dock would be “T” shaped and measure 160 feet long by 68 feet wide and would consist of more pier (less floating dock) and have grated surfaces.
- Two boatlifts (measuring 20 feet by 10 feet) would be attached to the inside of the “T”.
- Two buoys would be located 260 feet from the shoreline (in front of the dock).
- Small stairs would be located on the landward end of the dock to provide access to the dock and beach.

Project Location: 10612, 10710, 10818, and 10820 - 34th Street Court NW, on the east shoreline of Horsehead Bay, in the Rural-Residential Shoreline Environment and Rural 10 (R10) zone classification, in the Gig Harbor Peninsula Community Plan area, within Section 21, T21N, R1E, W.M. in Council District #7

Review Summary: Staff has reviewed the proposal for compliance with all applicable policies and regulations. Staff has the following observations:

- The dock would exceed the fetch and width guidelines. However, it may be appropriate to provide great flexibility in its dimensions (including the “T” shape) considering the dock would serve four parcels.
- While flexibility to the guidelines should be considered, Horsehead Bay is congested with docks/buoys/floats and a potential concern exists as to if the fetch length would be too great especially considering that buoys are also proposed which would further add to the clutter in the bay.
- Consideration should be given to requiring removal of any existing floats and/or buoys owned by any of the Applicants.
- The boatlifts would not appear to create any impacts.

- It is unclear why stairs, waterward of the bulkhead, are necessary when there are existing stairs inset into the bulkhead on both waterfront parcels.
- The existing fence located along the mutual property line should be pulled-back so that it is 15 feet back from the shoreline.
- It is unclear if the existing patio/fire pit at the landward end of the existing dock (north end of the Helling parcel) will be removed and will a new one be located landward of the new dock.
- Should the new dock be approved, revised easements/agreements should be recorded on the new parcels.

State Environmental Policy Act (SEPA): A SEPA checklist was submitted for this application. Planning and Public Works (PPW) has not yet concluded its environmental review. Note, for the existing dock, a Mitigated Determination of Nonsignificance (MDNS) was issued as a Great Blue Heron rookery was located approximately 500 feet from the site. As a result, dock construction was limited to August 1st through February 1st to avoid disturbance during breeding season.

County Contact: Ty Booth, Planner, tbooth@co.pierce.wa.us, 253-798-3727

Pierce County Online Permit Information:

<https://palsonline.co.pierce.wa.us/palsonline/#/permitSearch/permit/departementStatus?applPermitId=875981>



Project Data

Complete Application Date: November 30, 2017

Initial Project Review Mailed: January 31, 2018

Property Owners/Applicants: Sean and Julie Ghidella
10818 – 34th Street Court NW
Gig Harbor, WA 98335-5826

Mark and Lisa Helling
3420 Horsehead Bay Drive
Gig Harbor, WA 98335

Anthony and Julie Wright
10710 – 34th Avenue Court NW
Gig Harbor, WA 98335

Tyson and Kristen Gaines
10612 – 34th Street Court NW
Gig Harbor, WA 98335

Applicants' Agent: Marine Floats
Attn: Lorrie Chase
1208 East "D" Street
Tacoma, WA 98421

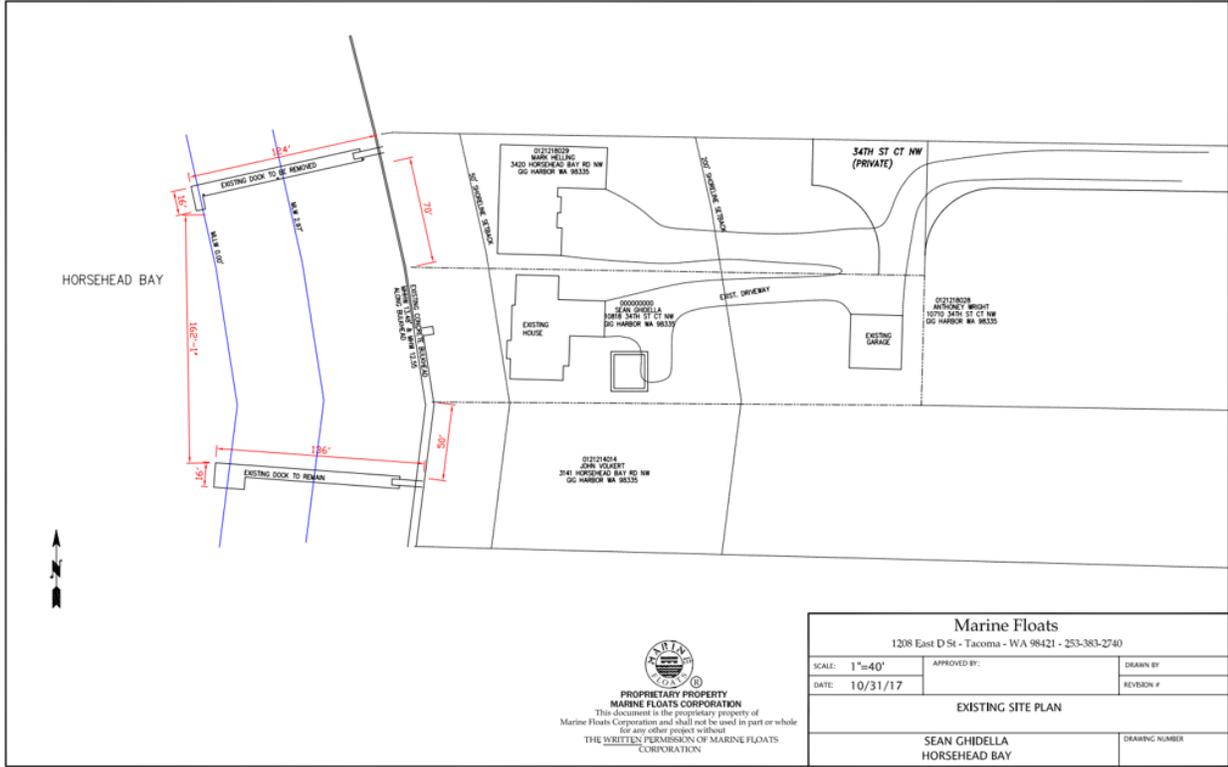
Legal and Public Notice

- *December 5, 2017*: Notice of Application and Public Meeting Notice was sent to the following:
 - Property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the site.
 - Applicable governmental agencies
- *December 7, 2017*: Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *January 31, 2018*: Legal notices were published in the official County newspaper (*Tacoma News Tribune*), and *Peninsula Gateway* newspaper, advertising the Gig Harbor Peninsula Advisory Commission (PAC) public meeting.

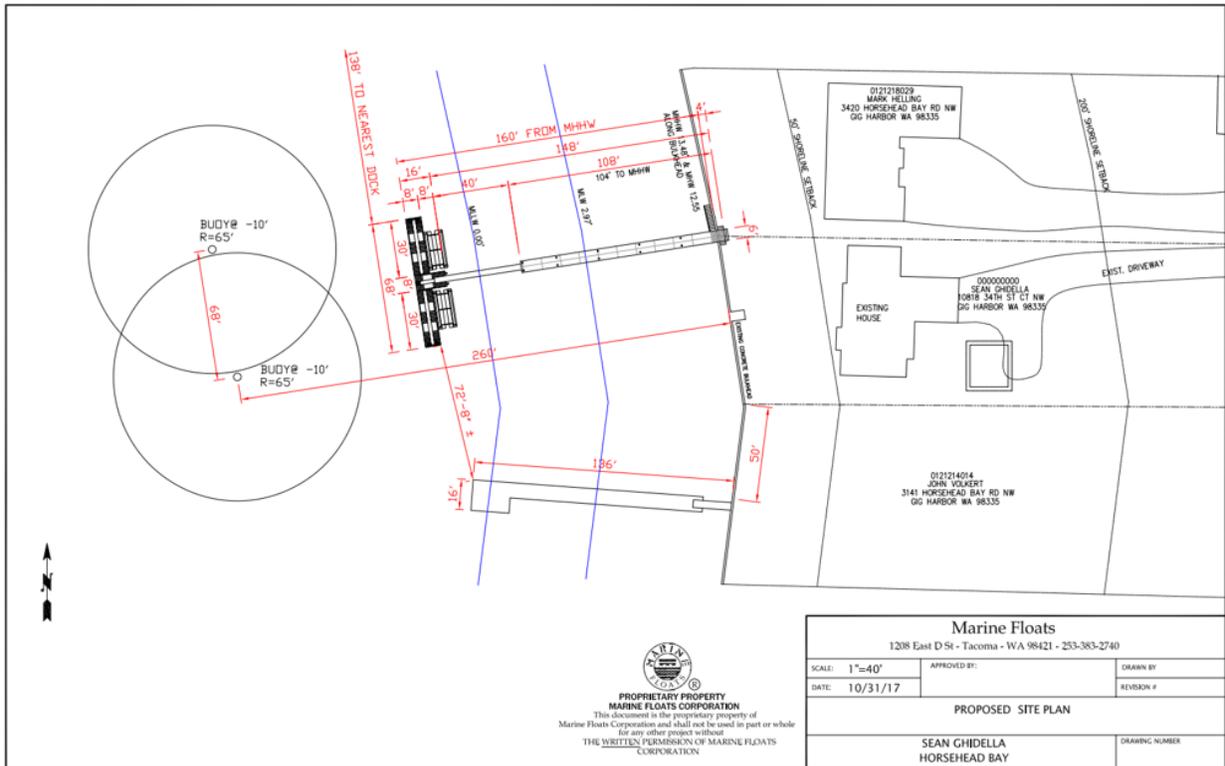
2014 County Aerial Photos



Site Plan (Existing)



Site Plan (Proposed)



Comments from Public

No comments have been received.

Comments from Agencies

Various comments have been received. The following are of note:

- Washington State Department of Natural Resources (DNR): A portion of the project is located on tidelands owned by the State of Washington and managed by DNR. Authorization must be obtained from DNR. Of note:
 - There is a documented presence of patchy eelgrass and soft brown kelps in the vicinity of the proposed dock. Since the existing dock will be replaced with a larger structure in a new footprint, a vegetation survey will likely be required.
 - The footprint of any new improvements must be minimized to the maximum extent feasible. Mitigation will be required for any expansion of overwater cover. Removal of overwater cover at a 1:1 ration is the preferred method of mitigation. The proposed dock would comprise approximately 1,380 square feet of overwater coverage (excluding the boatlifts). Demolition of the existing dock would only remove approximately 992 square feet of overwater cover. Additional mitigation may be required.
 - It appears the new dock floats would be located between -1 and -3 feet mean lower low water (MLLW). This is not deep enough to preclude the grounding of floats or vessels moored to the dock. Float stops are proposed and boat lifts could prevent grounding of vessels. However, it is likely the boatlifts would also ground at low tides. New floats and boatlifts must be placed in water deep enough to prevent grounding at all tides. Although it is also preferred the buoys be relocated to deeper water, the proposed location at -10 MLLW may be acceptable depending upon the vessels and presence of aquatic vegetation.
- A biologist with Pierce County Resource Management stated the following: Horsehead Bay is a mapped estuary. Regulated flood hazards exist. Eelgrass is mapped about 400 feet to the north and south. Forage fish is mapped on the western side of the bay. Per DNR comments, the site plan and construction plans may need to be revised and an eelgrass/kelp survey completed.
- Should the Hearing Examiner approve the proposal, permits/approvals would still be necessary from State and Federal agencies.

Site Characteristics

- County staff visited the site on January 2, 2018.
- The proposal involves four parcels. Each is developed with a single-family residence. The following lists the parcel numbers, owners, lot sizes, and dates of purchase:
 - 0121218030, Ghidella, .61 acre, 2008
 - 0121218029, Helling, .67 acre, prior to 1998
 - 0121218028, Wright, 1.13 acres, 2000
 - 0121218027, Gaines, 1.18 acres, 2015

- The four parcels were created with a short plat (subdivision) recorded in 1983 (County Auditor recording #8306100307).
- Only two of the parcels are waterfront lots. However, the short plat provides easements for a beach walkway/access for the two upland lots. The easements are located on the north side of the Helling parcel.
- The existing dock (to be removed) extends from the easements. In 1998, the Pierce County Hearing Examiner approved the dock for the benefit of all four lots in the short plat (Case No. SD13-97). Prior to the Examiner's hearing, the Gig Harbor Peninsula Advisory Commission (PAC) voted 3-1 to recommend approval.
- The Helling's owned their parcel at the time the existing dock was approved. The other current owners were not involved with the establishment of the existing dock.
- The existing dock would be relocated from the north end of the Helling parcel to the south end. In other words, the dock would extend from the mutual property line of the Helling and Ghidella parcels.
- Both of the waterfront parcels are bulkheaded. The Ghidella and Helling parcels each have beach access stairs inset into the bulkhead. The topography landward of the bulkhead is flat and primarily consists of lawn. The residences are set back a minimum of approximately 45-50 feet from the shoreline. Both have uncovered decks located approximately 30 feet from the shoreline. A fence extends along the mutual property line up to the bulkhead.
- Both shoreline parcels have a combined 178 feet of shoreline frontage.
- The fetch at the location of the proposed dock is approximately 875 feet. This is the distance as measured from the landward end of the proposed dock to the closest point on the opposite or west shoreline of Horsehead Bay (note, information on how fetch and opposite shore is defined/measured is found in Chapter 20.56 of the County Shoreline Regulations).
- A habitat assessment report, biological evaluation, and/or dive survey have not been submitted so it is not known to Staff if there is aquatic vegetation at the location of the proposed dock/buoys.

Staff Comment:

Existing Community Deck: There is an existing patio/fire pit at the north end of the Helling parcel, at the landward end of the existing dock. This patio appears to be located within or near the easement created with the short plat. It is unknown if this patio will remain or be relocated as part of the proposal. If a new patio is proposed elsewhere within 15 feet of the shoreline, such would trigger a Shoreline Variance. It does not appear a variance was obtained for the existing patio/fire pit. However, easements were shown on the county approved short plat.

Existing Ghidella/Helling Fence: An existing fence is located along the mutual property line of the Ghidella/Helling parcels. Fences have historically not been allowed to extend to the bulkhead unless a Shoreline Variance is approved. In this case, since the proposed dock would extend from this mutual property line it would appear that a portion of the fence will need to be pulled-back anyway.

Violations: Other than the patio/fire pit/fence issues just addressed, Staff did not observe any other potential issues within 50 feet of the shoreline.

Surrounding Land Uses and Shoreline / Zoning Designations

LAND USE		SHORELINE	ZONING
North	Single-family residence	Rural-Residential	Rural 10 (R10)
South	Single-family residence	Rural-Residential	R10
East	Horsehead Bay Drive NW and vacant across road	Not applicable	R10
West	Horsehead Bay	Rural-Residential	Not applicable

Abutting Docks (and other items of note)

- The abutting parcel to the north has a dock. It was approved in 2012, as a 125- foot long by 8-foot wide single-use elevated dock (Case No. SD/V25-10 Chamales).
- The abutting parcel to the south also has a dock. It was approved in 1993, as a 125-foot long by 8-foot wide single-use floating dock (Case No. SD34-92).
- On the west shoreline of Horsehead Bay, there is a dock directly opposite the existing dock. It would also be the closest existing or proposed dock (on the opposite shoreline) to this proposed community dock. The dock was approved in 1998, as a 125-foot long by 8-foot wide single-use floating dock (Case No. SD/V7-97 Moergeli).
- Marine Floats was the agent for all three docks.
- A public boat launch is located approximately 375 feet north of the site.
- On December 13, 2017, the PAC held a public meeting to legalize an unpermitted float in Horsehead Bay. The applicants’ last name was Miller. The Miller float is located approximately 1,000 feet south/southwest of this community dock proposal. The proposal was controversial and the meeting well attended. Staff only brings up that proposal in this report in case the PAC was curious of the proximity between the two proposals.

Proposal (additional details)

The following are additional details regarding the proposal:

- The dock would consist of a pier, ramp, and float.
- The existing dock was controversial amongst the applicants at the time (including the Hellings). This controversy is evidenced in the decision issued by the Hearing Examiner. However, ultimately, the parties came to agreement and the dock was approved. At this time, the current applicants (three of which were not involved when the existing dock was approved) have determined the current proposal is something they would prefer.
- The short plat has access easements. Staff presumes, that should this proposal be approved, revised easements and/or agreements will be made amongst the applicants (if this has not already taken place).

Initial Planning and Public Works Staff Review for Consistency with Policies/Regulations

Pierce County Shoreline Master Program (Pierce County Code Title 19D.190 and Title 20)

1. Why the shoreline permits are required.
 - A. Shoreline Substantial Development Permit.
 - Section 20.76.020 of the County Shoreline Regulations and Section 173-27-040(2)(a) of the Washington Administrative Code (WAC) states that a Shoreline Substantial Development Permit shall be obtained for any development or use which exceeds a cost or fair market value of \$7,047.00. This dollar value is not actually listed in most printed versions of the codes. However, it has increased to this amount over the years per the same section of the WAC referenced above.
 - Section 20.56.010 K. defines a community pier or dock as a pier or dock including a gangway and/or float which is intended for use in common by lot owners or residents of a subdivision or residential planned development district.
 - Section 20.56.030 B. states that community docks require a Shoreline Substantial Development Permit.
 - Chapter 20.56 typically exempts one buoy provided it is accessory to a waterfront parcel with a single family residence. However, WAC Section 173-27-040 (1)(d) states that if any part of a proposed development is not eligible for exemption, then a Shoreline Substantial Development Permit is required for the entire proposal.
 - B. Shoreline Conditional Use Permit
 - Boatlifts
 - There are no policies/regulations regarding boatlifts as they are not addressed in the existing 1970s era version of the County Shoreline Master Program.
 - Section 20.72.040 addresses Unclassified Uses. Such section states that “all proposed uses not classified under one or more of the Master Program use activities shall be considered a Conditional Use and will be permitted provided the Conditional Use criteria are met.”
 - Stairs
 - Section 20.62.050 D.2. states that any water dependent accessory use (such as beach access stairs) may be allowed within the 50-foot setback upon the issuance of a Conditional Use Permit.
2. Applicable shoreline policies and regulations utilized in the review of the permits
 - A. Rural-Residential Shoreline Environment (PCC, Title 19D.190, page 16 / PCC Chapter 20.10)
 - Definition and Purpose. The Rural-Residential Environment is an area of medium intensity land use, that is, having use types and densities which do not imply large-scale alterations to the natural environment. It is an area that will serve as a buffer between the highly intensive development of the urban environment and the non-intensive development of rural environment. It is an Environment Designation that will allow medium intensity residential, commercial and agriculture development. The purpose of assigning an area to a Rural-Residential Environment is to allow for a natural transitional area between the sometimes incompatible intensive land uses of urban areas and the agricultural uses, recreational uses, and open space found in the rural environment.

- General Regulations and Policies
 - Existing land use patterns that reflect a suburban environment and also by virtue of existing development do not have the potential for supporting intensive agricultural or recreational activities should be designated as a Rural-Residential Environment if urban expansion is not anticipated.
 - Medium intensity residential uses should be encouraged in the Rural-Residential Environment in order to relieve pressure from urbanized areas and provide living area for those wishing to enjoy a less densely developed shoreline.
- Preferred Uses
 - Single family residence.
 - Neighborhood commercial uses such as small service establishments.

Staff Comment: Staff finds that the proposal is consistent with the Rural-Residential Environment.

B. Dock Policies/Regulations (applies to the dock and buoys)

- Policies (PCC Title 19D.190, pages 37-38)
 - Piers associated with single-family residences should be discouraged.
 - In considering any pier, considerations such as environmental impact, navigational impact, existing pier density, parking availability, and impact on adjacent proximate land ownership should be considered.
 - Encourage the use of mooring buoys as an alternative to space consuming piers such as those in front of single-family residences.
 - Piers and floating docks should be encouraged to be built perpendicular to the shoreline rather than along it.
 - Encourage pier construction to include larger spans on fewer pilings rather than smaller spans and more pilings. Piers in marine waters may provide habitat suitable for predatory fish with consequent detriment to young salmonids.
 - When plastics or other non-degradable materials are used in pier construction precautions should be taken to insure their containment.
 - The use of floating docks should be encouraged in those areas where scenic values are high and where conflicts with recreational boaters and fisherman will not be created.
 - Open-pile piers should be encouraged where shore trolling is important, where there is significant littoral drift, and where scenic values will not be impaired.
 - Priority should be given to the use of community piers and docks in all new major waterfront subdivisions. In general, encouragement should be given to the cooperative use of piers and docks.
 - Areas having a significant near shore fishery should not be used for floating docks.
- General Regulations (PCC Chapter 20.56)
 - Important navigational routes or marine oriented recreation areas will not be obstructed or impaired.
 - Views from surrounding properties will not be unduly impaired.
 - Ingress-Egress as well as the use and enjoyment of the water or beach on adjoining property is not unduly restricted or impaired.

- Public use of the surface waters below ordinary high water shall not be unduly impaired.
 - A reasonable alternative such as joint-use, commercial or public moorage facilities does not exist or is not likely to exist in the near future.
 - The use or uses of any proposed dock, pier or float requires, by common and acceptable practice, a shoreline location in order to function.
 - The intensity of the use or uses of any proposed dock, pier and or float shall be compatible with the surrounding environment and land and water uses.
 - In areas identified by the Department of Fisheries, Game or Natural Resources in accordance with a study in existence at the time of application as having a high environmental value for shellfish, fish life or wildlife, piers, docks and floats shall not be allowed unless functionally necessary to the propagation, harvesting, testing or experimentation of said marine or wildlife, unless it can be conclusively established that the dock, pier or float will not be detrimental to the natural habitat.
 - All piers and docks shall be constructed and maintained in a safe and sound condition.
 - Pilings employed in piers or any other structure shall have a minimum vertical clearance of one foot above extreme high tide.
 - When plastics or other nondegradable materials are used in pier construction, precautions shall be taken to ensure their containment.
- Community Dock Regulations (PCC Section 20.56.040 B.8.)
 - Maximum intrusion into water should be only so long as to obtain a depth of eight feet of water as measured at mean lower low water on saltwater shorelines, or as measured at ordinary high water on freshwater shorelines, except that the intrusion into water of any pier or dock should not exceed 15 percent of the fetch or 150 feet whichever is less.
 - Maximum length parallel to shore shall be as determined by the appropriate reviewing authority.
 - Minimum separation between the structure and the side property lines extended at a right angle to the shoreline shall be as determined by the appropriate reviewing authority.
 - Density of usage should not exceed the following: One moorage for each 20 feet of waterfront up to 200 front feet plus one moorage for each additional ten front feet (e.g., a 20 boat community pier or dock would require 300 front feet).
 - Applications for a community pier or dock, or a public or private recreational pier or dock should be approved in a constricted body of saltwater only if there is one surface acre of water within the constricted body, measured at mean low water, for each boat moorage (including buoys) within said constricted body.
 - Developers of community or recreational piers and docks should provide some means of maintenance of the structure and the associated upland area to assure that the facility and associated ground will be adequately maintained.
 - Any parking area associated with a community or recreational pier or dock should provide parking spaces at a level which is consistent with the desired intensity of use of the pier or dock. Adequate separation and buffers should be maintained between said parking area and adjacent properties.

Staff Comment: The issue of whether a community dock should be allowed for this short plat does not appear to be the issue. The Hearing Examiner, by approving the existing dock, already determined that one is appropriate. The issue appears to be whether the dimensions of proposed dock (along with the additional buoys and boatlifts) are appropriate. With that said, docks that are shared by more than one parcel are encouraged and, therefore, sometimes provided flexibility in their dimensions so as to provide an incentive for sharing of docks (so as to reduce the proliferation of single-use docks).

Based upon the cross-section submitted, at mean lower low water (MLLW), it appears the depth at the end of the dock would have 4 feet of water (less than the 8 feet stated in the policy). However, the dock would exceed the fetch standard (15%) by approximately 29 feet (it would be 18% of the 875-foot fetch). In addition, the dock would exceed the length standard (of 150 feet) by 10 feet. Further, the proposal would have a "T" shape as well as two buoys. Based upon the cross-section submitted, at MLLW, it appears the depth at the buoys would be 10 feet.

The dock itself would only provide for four moorage spaces. One space for each parcel is completely appropriate. The "T" provides two moorage spaces on the inside (on the lifts) and would help prevent the boats from grounding. The "T" also provides two moorage spaces on the outside (not on lifts). While the depth at the end of the dock would be 4 feet, Staff presumes at some lower tides the boats moored on the outside of the "T" would ground and that is why the two buoys are proposed (so the boats can potentially be relocated to the buoys prior to those low tides). As noted previously, the DNR has concerns about grounding.

While it may be appropriate to relax some of the requirements as an incentive for the sharing of a dock, it is a fair question to ask if the Applicants are asking for too much. Specifically, the proposal would: 1) exceed the fetch; 2) exceed the length; 3) have a "T" shape; 4) have two boat lifts; 5) and have two buoys. While this section of Horsehead Bay is not as congested at the southern end, there are still a lot of obstructions (legal and not legal) in Horsehead Bay as a whole. Adding additional obstructions into the bay (a longer dock and buoys) only adds to the problem. It would be helpful if the Agent could provide the rationale why this design was proposed, other designs explored, and why those other designs were not reasonable. In the end, perhaps the current proposal is fully appropriate but more rationale would be helpful.

One comment regarding the southern buoy is that any boats moored to it may swing in front of the abutting parcel to the south. Perhaps it should be relocated further north. In addition, an existing float is located in front of the Ghidella parcel (approximately 212 feet from the shoreline). For any existing floats and/or buoys in Horsehead Bay, owned by any of the Applicants, consideration should be given to requiring them to be removed should the proposal be approved.

While it is appropriate for the four lots in the short plat to have moorage, it must also be remembered that at high tides the waters of Puget Sound are a public resource for the benefit of all (regardless of whether the applicants own private tidelands at low tides).

While Staff has raised potential concerns above, it should be pointed out that if for some reason the current proposal is denied, the existing dock would be allowed to remain. On that note, it is also appropriate to consider if the current proposal is better than the existing situation. At a minimum, the proposed dock would not ground (or ground less) on the seafloor, would have modern flotation, and have grated surfaces allowing light to pass through to the seafloor. Further, it would be relocated to a more central location of the site. The abutting northern parcel should benefit as the dock would be set back further from their property line. While the abutting southern parcel could potentially be impacted more than at present, the proposed dock would be set back 73 feet from their existing dock and well over 10 feet from their property line (the concern regarding the buoy was already mentioned).

Note, Horsehead Bay does not appear to meet the definition of a constricted body of water. Section 20.56.010 O. defines a constricted body of water as “any tidal basin having a width at the entrance which is less than half of the inner distance, measured from the entrance to the innermost shoreline.”

C. Boatlifts

- There are no policies/regulations regarding boatlifts.

Staff comment: On April 26, 2006, a Planning Department policy was issued stating that boatlifts require a Shoreline Conditional Use Permit. The Shoreline Conditional Use Permit criteria are addressed in the next section of this report.

D. Residential Development Policies/Regulations (applies to the stairs)

- Policies (PCC Title 19D.190, pages 28-29)
- Regulations (PCC Chapter 20.62)

Staff Comment: The residential policies/regulations only apply to the small stairs that would be located on the landward end of the dock to provide access to the dock and beach. The on-land stairs are just small steps. They are really more just part of the dock and, therefore, it is extremely questionable that they would be subject to the residential policies/regulations.

In terms of the overwater stairs, they would measure 9 feet by 3½ feet. They would be located at the landward end of the dock but located waterward of the bulkhead. It is reasonable for four parcel owners to have a means to access the beach/water. The stairs are pretty small. With that said, it is unclear why this additional overwater structure is necessary when there are existing stairs inset into the bulkhead on the Helling parcel (north end) and the Ghidella parcel. Although the stairs would be grated (so as to allow light, currents, and waves to pass through), shoreline policies/regulations attempt to limit overwater development to the minimum necessary. Otherwise, they would not appear to create any other impacts.

E. Shoreline Conditional Use Permit (applies to the boat lifts and stairs)

- County Criteria (20.62.050 D.2.) - applies to only the stairs.
 - Views from surrounding properties will not be unduly impaired.
 - Adequate separation will be maintained between the structure and adjacent properties and structures.

- Screening and/or vegetation will be provided to the extent necessary to insure aesthetic quality.
 - Design and construction materials shall be chosen so as to blend with the surrounding environment.
 - No additional harm to the aquatic environment will result from the reduced setback.
- County Criteria (20.72.030) – applies to the boat lifts and stairs.
 - That there is some necessity for a shoreline site for the proposed use or that the particular site applied for is essential for this use.
 - The use will cause no unreasonably adverse effects on the environment or other uses.
 - That water, air, noise, and other classes of pollution will not exceed the level customarily found in that particular environment.
 - Design of the site will be compatible with the Master Program.
 - The use will not interfere with public use or public shorelines.
 - State Criteria (Washington Administrative Code, Chapter 173-27-160) – applies to the boat lifts and stairs.
 - That the proposed use is consistent with the policies of RCW 90.58.020 and the policies of the master program.
 - That the proposed use will not interfere with normal public use of the shorelines.
 - That the proposed use of the site and design of the project is compatible with other permitted uses within the area.
 - The use will cause no unreasonable adverse effects on the environment in which it is located.
 - That the public interest suffers no substantial detrimental effect.
 - In the granting of all conditional use permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if conditional use permits were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the policies of RCW 90.58.020 and shall not produce substantial adverse effects to the shoreline environment.

Staff Comment:

Boatlifts: A lift is logical in that it helps protect boats from corrosive salt water, beating of waves/wakes, etc. However, boats elevated on lifts may be more of a view obstruction than a boat floating in the water. Further, lifts present the potential for permanent year round underwater shading impacts. Specifically, a lift may make it more likely that a boat would be stored year round on the water vs. storing a boat on land during the non-boating season.

Stairs: The stairs were previously addressed under the residential section of this report. The on-land stairs are just small steps. They are really more just part of the dock and, therefore, it is extremely questionable that they would be subject to this criteria. As for the overwater stairs, again the only concern is if they are necessary since there are two sets of stairs already inset into the bulkhead.

Cumulative Impacts: Beach access stairs and lifts are not an uncommon site in the Gig Harbor Peninsula. The cumulative impacts of both in the Peninsula would not appear to be substantial as most stairs (including those proposed) do not extend very far into the water and lifts are generally located where a boat could moor anyway.

Gig Harbor Peninsula Community Plan

(Pierce County Code, Title 19A, Chapter 19A.10, Chapter 14, Appendix E, Page E-97)

Link: <http://www.co.pierce.wa.us/DocumentCenter/View/38486>

- GH ENV-2.4 Permit piers and docks in the High Intensity, Residential, and Conservancy shoreline environments. Piers and docks should generally be prohibited in the Natural shoreline environment.
- GH ENV-2.4.1 Encourage environmentally friendly dock design (e.g., grated dock surfaces that allow light to pass through instead of traditional dock construction methods).
GH ENV-2.4.2 Require the joint use of piers and docks whenever possible.

Staff Comment: There are any number of policies from the Gig Harbor Community Plan that could apply to this proposal but would result in an extensively long report. Staff has only included those for the dock portion. The proposal's consistency with these policies was previously addressed in this report under the Shoreline Master Program section.

Ghidella-Helling-Wright-Gaines SD IPR PAC-TB.docx