

1. 6:30 P.M. 8/22/18 Gig Harbor Peninsula Advisory Commission Meeting

Documents:

[8 22 18 PAC Agenda.pdf](#)

2. 6:30 P.M. 8/22/18 Gig Harbor Peninsula Advisory Commission

Documents:

[8 22 18 PAC Peschek-Pulawski IPR PAC-MC.pdf](#)

3. 6:30 P.M. 8/22/18 Gig Harbor Peninsula Advisory Commission

Documents:

[8 22 18 PAC IPR DDH Holdings LLC MC-PAC.pdf](#)

MEETING AGENDA
GIG HARBOR PENINSULA ADVISORY COMMISSION
August 22, 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 Conditional Use Permit: [Peschek/Pulawski](#)
Application 883757, 884092**

Applicants: James Peschek/Agnieszka Pulawski
Planner: Mojgan Carlson, mojgan.carlson@piercecounitywa.gov
Request: Add a 200-sq. ft. (10- x 20-ft.) Sunstream floating boat lift to an existing 150-ft. dock (approved application 815383). The site is located in the Rural-Residential shoreline environment, Rural 10 (R10) zone classification, and the Gig Harbor Peninsula Advisory Commission area at 707 Chinook Dr., Fox Island, in Council District #7.

**Shoreline Substantial Development Permit: [DDH Holdings, LLC](#)
Applications 888276, 888277**

Applicant: DDH Holdings LLC
Planner: Mojgan Carlson, mojgan.carlson@piercecounitywa.gov
Request: Accessory to a single-family residence located on Horsehead Bay, 1) construct a 154-ft. long (150 ft. over water) single-use dock with 12 steel pile, and 2) remove an existing 10- x 20-ft. swim float). The site is located in the Rural-Residential shoreline environment, Rural 10 (R10) zone classification, and the Gig Harbor Peninsula Advisory Commission area at 8030 Warren Dr. NW, Gig Harbor, in Council District #7.

OLD BUSINESS

Approval of Minutes
(June 27, 2018)

OTHER BUSINESS / PUBLIC COMMENT

Staff Report

Shoreline Conditional Use Permit: Peschek and Pulawski

Application Numbers: 883757, 884092
Parcel Number: 0121362019

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: August 22, 2018, 6:30 p.m., at the City of Gig Harbor, southeast entrance, 3510 Grandview Street, Gig Harbor.

Examiner's Hearing: September 5, 2018, at 9:00 a.m., at the Pierce County Public Services Building, South Entrance, Public Meeting Room, 2401 South 35th Street, Tacoma, WA 98409.

Proposal: Place a 200-square foot (10-foot x 20-foot) floating boatlift onto the existing 150-foot long single-use dock, accessory to an existing single-family residence. The project site is located on the southeast shore of Hale Passage, in a Rural Residential Shoreline Environment, a Rural 10 (R10) zone classification, and the Gig Harbor Peninsula Community Plan area.

Project Location: 707 Chinook Drive FI, Fox Island, WA, within the NW ¼ of Section 36, T21N, R1E, W.M., in Council District #7.

Staff Recommendation: The proposal does meet all of the criteria stated within these regulations and, as such, staff recommends approval of the proposed project, subject to all applicable provisions of the Pierce County Shoreline Master Program and conditions of this staff report.

State Environmental Policy Act (SEPA): Pursuant to the State Environmental Policy Act and the Pierce County Environmental Regulations, Title 18E, the Pierce County Responsible Official has reviewed this project and issued an addendum on June 29, 2018, to the previously issued Determination of Nonsignificance (DNS) dated April 13, 2016.

County Contact: Mojgan Carlson, Senior Planner, 253-798-7234, mojgan.carlson@piercecountywa.gov

Pierce County Online Permit Information:

<https://palsonline.co.pierce.wa.us/palsonline/#/permitSearch/permit/departmentsStatus?applPermitId=883757>



Project Data

Application Complete Date: April 24, 2018

Staff Report Mailed: August 1, 2018

Owners/Applicants: James Peschek and Agnieszka Pulawski
707 Chinook Drive FI
Fox Island, WA 98333-9719

Agent: Permit Granted
Attn: Terri Schultz
4810 Point Fosdick Drive NW #156th
Gig Harbor, WA 98335

Public and Legal Notice

- *April 24, 2018*: Notice of Application was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- *April 30, 2018*: Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *August 8, and 9, 2018*: Legal notices were published in the official County newspaper (*Tacoma News Tribune*) and the *Peninsula Gateway* newspaper, advertising the public meeting to be held by the Gig Harbor Peninsula Advisory Commission (PAC) and hearing to be held by the Pierce County Hearing Examiner.
- *July 27, and 30, 2018*: Notice of the PAC Meeting and Examiner's Hearing was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.

2017 Ortho Photo





Agencies:

1. No adverse comments were received from reviewing agencies within the County and State.
2. Nisqually Indian Tribe requests notification of any Inadvertent Discoveries of Archaeological Resources/Human Burials for this project.

Site Characteristics

- The project site is on the northern portion of an irregular shaped parcel abutting the southeastern shore of Hale Passage on Fox Island.
- The long axis of the parcel is oriented in a north-south direction.
- The topography of the parcels is rolling with slope of approximately 10% going down towards the water.
- The parcel, with its abutting tideland, is approximately 26,100 square feet in size with 145 feet of shoreline frontage.
- The access to the project site is via a driveway off Chinook Drive FI, which abuts the parcel to the south.
- The upper portion of the site is improved with a single-family residence and a garage.
- The shoreline of the parcels is improved with a concrete bulkhead, a boat ramp, a buoy a single-use dock, and an unpermitted boatlift.
- The dock and buoy were approved by the Pierce County Hearing Examiner’s decision on July 25, 2016, under case number SD26-15.
- The fetch in this area of Hale Passage is about 3,950 feet wide. Currently, the boatlift is placed on the northwest end portion of the existing dock; however, if approved, it will be moved to the northeast end portion of the dock in order to meet the required 10-foot minimum separation from the side property lines.
- There are no docks on the immediate adjoining parcels to the east and west of the subject site.
- The Applicants purchased this site in December of 2014.

Surrounding Land Use / Shoreline / Zoning Designation

	LAND USE	SHORELINE	ZONING
North	Hale Passage	Rural Residential	N/A
South	Chinook Drive FI	N/A	Rural 10 (R10)
East	Single-family residence	Rural-Residential	R10
West	Single-family residence	Rural-Residential	R10

Governing Regulations

Shoreline Master Program	March 4, 1974
Shoreline Management Use Regulations	February 2, 1998
Gig Harbor Community Plan	December 1, 2002
Title 18A, Development Regulations – Zoning	September 1, 2017
Title 18 D, Environmental Regulations,	February 1, 2011
Title 18 E, Development Regulations - Critical Areas	February 1, 2011
Title 17A, Construction and Infrastructure Regulations – Site Development and Stormwater Drainage	March 1, 2005

Staff Review for Consistency with Applicable Land Use Policies and Regulations

Gig Harbor Peninsula Community Plan

Staff Comment: The applicants are seeking Shoreline Conditional Use Permit approval for placement of a boatlift at the end of the existing dock to prevent watercraft from grounding out at low tides.

The site is located within the Rural Residential Shoreline Environment and the proposed 20-foot long by 10-foot wide boatlift will be placed on the northeast end portion of the existing dock. Per the submitted site plan, dated June 27, 2018, the boatlift will not intrude farther into the water of Hale Passage or go beyond the end of the existing float portion of the dock.

Aesthetic values are mostly important in the values to be protected under the SMA (Shoreline Management Act) and Pierce County's Shoreline Master Program. Currently, there are no docks or boatlifts on the immediate adjoining lots. Thus, a boatlift structure attached to the existing dock could result in view obstruction to the adjoining properties.

The intent of the code is to protect view aesthetics; therefore, construction of a boatlift will change the nature of the shoreline character in this area; however, it will not unduly impact the neighboring views as there are other water dependent structures within close vicinity of the sites. Additionally, by virtue of a shoreline location, it is assumed that water dependent uses such as boatlifts will be part of the view. Thus, staff believes placement of a boatlift in this location, as an accessory use to a single-family residence, should be allowed subject to approval of an SDCP application.

Pierce County Shoreline Master Program Policies (Pierce County Code, Title 19D.190)

The Shoreline Master Program provides goals and policies for development on Pierce County shorelines. The proposal is located within the Rural-Residential Shoreline Environment Designation.

Rural Residential Environment

B. General Regulations and Policies

1. Preferred Uses: Single-Family residence

Staff Comment: A single-family dwelling is a permitted use in the Rural Residential Shoreline Environment and the proposed project is considered accessory to the single-family residence. If approved with conditions of this report, the project will function as a medium intensive recreational amenity for the existing single-family residence; therefore, it is consistent with the policies of this environment.

Shoreline Management Use Regulations for Pierce County (SUR) – Title 20

The proposed boatlift is not classified under any of the SMP use activities and, therefore, is subject to the conditional use criteria. Therefore, the applicants must comply with criteria stated in Section 20.72.030. Conditional Use provision which provides more control and flexibility for implementing the regulations of the Master Program for the proposed boatlift.

Section 173.27.160 of the Washington Administrative Code (WAC) also contains additional criteria for the granting of a Shoreline Conditional Use Permit and requires that consideration be given to the cumulative impact of additional requests for like actions in the area.

Staff Comment: The applicants have applied for a Shoreline Conditional Use Permit (SDCP) to allow placement/construction of a boatlift as water dependent accessory uses to a single-family residence.

The proposed 20-foot long by 10-footwide boatlift has already been placed at the northwest end of the float portion of the existing dock in order to have the means of preventing their boat from grounding and scouring the substrate. However, the boatlift will be removed and reattached to the northeast end of the dock in order to meet the required 10-foot setback.

The proposed boatlift will not interfere with the public's use of the shoreline as it will not intrude into the water beyond the length of the existing dock. A boatlift attached to the dock could result in a permanent view obstruction to the neighboring properties and will create a view impact. However, as previously stated, by virtue of a shoreline location, it is assumed that water dependent uses will be part of the view.

The Applicants are not proposing a boatlift cover and one is not allowed. Therefore, staff has recommended a condition of approval to address this issue. In addition, upon completion of the project, the proposed boatlift will not change the level of pollution customarily found in the environment.

Recommended Conditions of Approval:

Should the Hearing Examiner approve the request, Staff recommends the Examiner include the recommended conditions in the decision.

Note: If approved, the activity shall commence within two (2) years of the effective date of the permit and shall terminate five (5) years after the effective date of the permit.

Recommended Conditions of Approval:

Planning:

1. The decision set forth herein is based upon representations made and exhibits, including plans and proposals submitted at the hearing conducted by the Examiner. Pursuant to WAC 173-27-100, any substantial change to the design, terms, or conditions of the project shall be subject to approval of the Examiner and may require further and additional hearings.
2. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition precedent to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicants agree to promptly bring such development or activities into compliance.

3. It shall be the applicants' responsibility to apply for and obtain all applicable permits from local, State, and Federal agencies.
4. No construction of a walkway/pathway or stairway shall take place until the County approves appropriate shoreline permits.
5. Development shall be started/completed per the timelines in WAC Section 173-27-090.
6. The size of the boatlift shall be limited to 20 feet long by 10 feet wide (maximum of 200 square feet).
7. At no time shall any portion of the boatlift rest on the beach surface.
8. The boatlift shall not be allowed to have any type of roofing including canvas roof.
9. The boatlift shall be located at the northeast end of the dock and shall not extend further into the water beyond the length of the dock.
10. The boatlift must be placed such that the minimum 10-foot setback, extended from the shore, is maintained on both ends (side property lines).
11. If the proposed project changes by more than 10% from the provision of the original permit a revision to the permit will be required per Section 20.76.30.H.

Peschek and Pulawski PAC SR-MC.docx

Initial Project Review

Shoreline Substantial Development Permit: DDH Holdings LLC – Don Huber

Application Numbers: 888276, 888277
Parcel Number: 0121262075

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: August 22, 2018, at 6:30 p.m., City of Gig Harbor, southeast entrance, Community Room A, 3510 Grandview Street, Gig Harbor, WA 98335

Proposal: The proposed project is to:

- Construct a 154-foot long (150 feet over water) by 8-foot wide single-use dock
- Retain a 25-foot tall flagpole
- Remove the existing 253-square foot (11- by 23-foot) solid surface swim float
- Remove the existing 119-square foot wood deck and associated wood stairs
- Install native plants in the 119-square foot space vacated by the wood deck

All requested items are accessory to a single-family residence on a .24-acre parcel, located on the northwest shore of Hale Passage.

Project Location: 8030 Warren Drive NW, Gig Harbor, WA, in a Rural Residential Shoreline Environment, Rural 10 (R10) zone classification, and the Gig Harbor Community Plan area, in the NW 1/4 of Section 26, T21N, R1E, W.M., in Council District #7

Review Summary: Staff has reviewed this proposal for compliance with all policies, codes, and regulations, and intends to recommend approval with conditions.

State Environmental Policy Act (SEPA): Based in association with the construction of the entire project a SEPA checklist was submitted for this application. The SEPA environmental checklist for the proposal is currently being reviewed by other agencies and parties. Planning and Public Works will prepare an environmental determination.

Note: The project is **not** likely to result in any significant adverse environmental impact and a Determination of Nonsignificance is likely to be issued.

County Contact: Mojgan K. Carlson, Senior Planner, mojgan.carlson@piercecountywa.gov, 253-798-7234

Pierce County Online Permit Information:

<https://palsonline.co.pierce.wa.us/palsonline/#/permitSearch/permit/departmentStatus?applPermitId=888276>



Project Data

Complete Application Date: June 11, 2018

Initial Project Review Mailed: August 1, 2018

Applicant/Owner: Don Huber
DDH Holding LLC
12555 Bethel Burley Road NW
Port Orchard, WA 98367
don@SPP-MFG.com

Agent: Lorrie Chase
Marine Floats Corporation
1204 East D Street
Tacoma, WA 98421
lchase@marinefloats.com

Legal and Public Notice

- *June 19, 2018*: Notice of Application (NOA) and Public Meeting Notice, including the Gig Harbor Peninsula Advisory Commission (PAC) meeting date, was sent to property owners within a radius of 300 feet, but not less than 2 parcels deep, around the exterior boundaries of the subject property.
- *June 21, 2018*: Revised NOA and Public Meeting Notice, including the PAC date, was sent to property owners within a radius of 300 feet, but not less than 2 parcels deep, around the exterior boundaries of the subject property.
- *June 28, 2018*: Public Notice sign was posted on-site, confirmed with a Declaration of Posting.
- *August 8, and 9, 2018*: Legal notices were published in the official County newspaper (*Tacoma News Tribune*), and *Peninsula Gateway* newspaper, advertising the PAC public meeting.

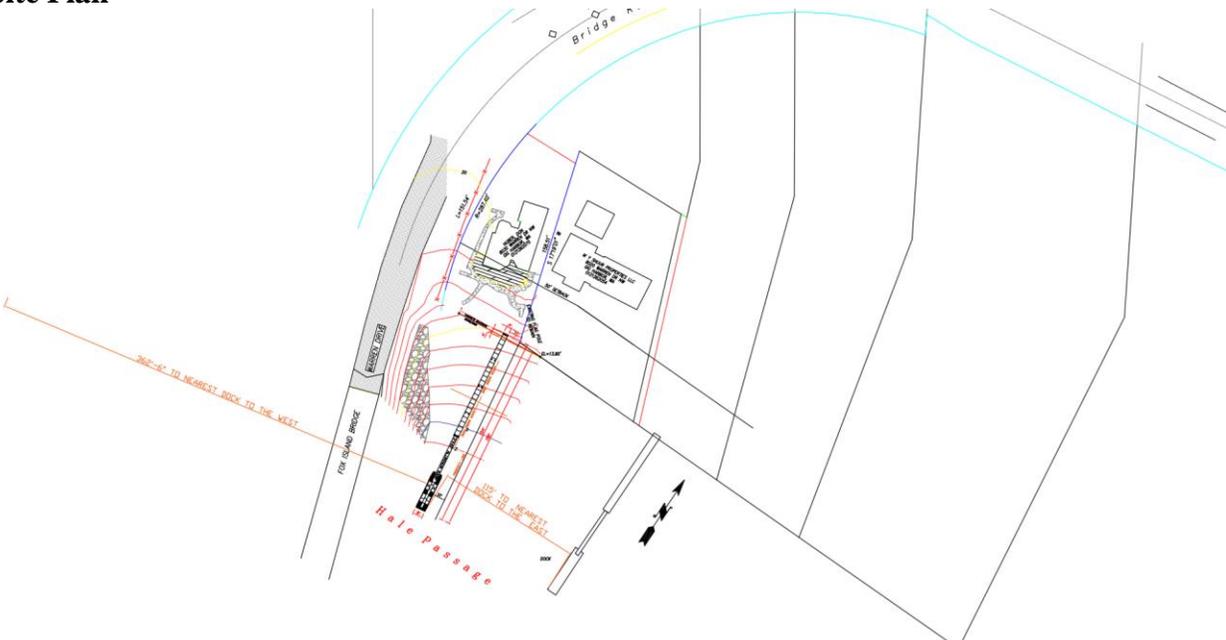
2017 County Aerial Photos



2018 Google Earth



Site Plan

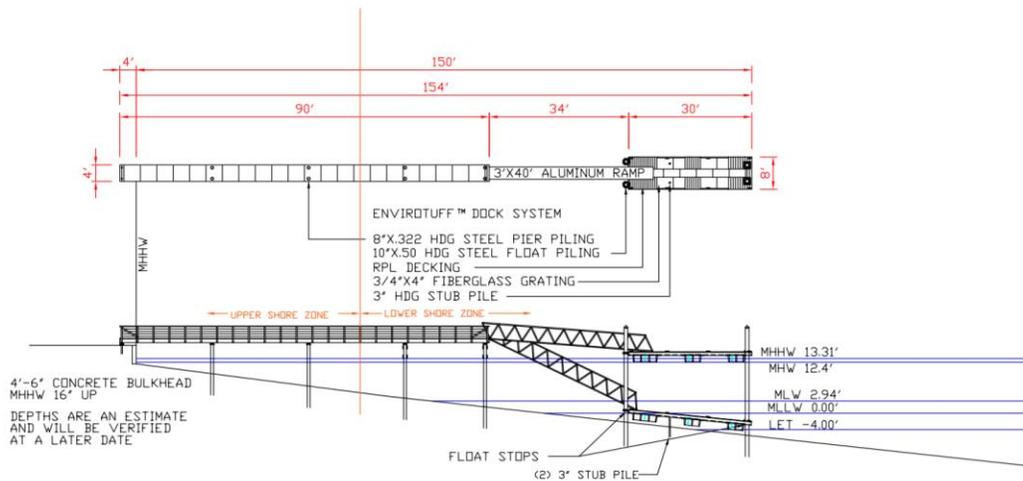




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Marine Floats	
1208 East D St - Tacoma - WA 98421 - 253-383-2740	
SCALE: 1"=50'	APPROVED BY:
DATE: 5/19/18	REVISION #22 7/6/18
PROPOSED SITE PLAN	
DON HUBER HALE PASS	DRAWING NUMBER 2590

Cross-Section



Review Responsibility

The following list includes examples of jurisdictional areas for various County departments and divisions typically involved in the review and administration of this proposal:

A. Planning and Public Works (PPW):

- Current Planning verifies compliance with the Pierce County Comprehensive Plan, applicable community plans and development regulations such as, but not limited to, zoning, critical areas, natural resource lands, shoreline management, design review, and potential environmental impacts.
- Development Engineering reviews for drainage, erosion control, site development, flood, survey, landslide and erosion hazard, lot dimensions, and road standards.
- Resource Management reviews for consistency with the County wetland and fish & wildlife regulations.

B. Gig Harbor Peninsula Advisory Commission (PAC):

The PAC's role in the review process for a land use proposal includes the following:

- Review the proposal for consistency with the goals and policies in the Community Plan.
- Provide a local perspective that includes input from the community and insights of which PPW staff or the Hearing Examiner may not be aware.
- Offer recommendations for project design to fit with the community's vision while remaining consistent with the Community Plan.

PCC Chapter 2.45 Land Use Advisory Commissions provides regulations that apply to the PAC. Per PCC 2.45.130, Land Use Advisory Commission (LUAC) recommendations on a land use application shall be to approve, modify and approve, deny, or make no recommendation. The LUAC may recommend the Hearing Examiner continue a scheduled public hearing to obtain additional information or LUAC recommendations.

Review Criteria

The following regulations and policies shall be used during the review process including, but not limited to:

- A. Pierce County development regulations and construction and infrastructure regulations;
- B. Pierce County Comprehensive Plan and Gig Harbor Peninsula Community Plan;
- C. Applicable state statutes; and
- D. All applicable notes on related previously recorded County documents.

Site Characteristics

- The project site is on the southern portion of an almost rectangular shaped parcel abutting the northwestern shore of Hale Passage.
- The long axis of the parcel is oriented in a north-south direction. The topography of the parcel is generally rolling with steep slopes of less than 10% towards the water, on the west side of the site.
- The County Assessor lists the parcel as 0.24-acre in size with approximately 70 feet of shoreline frontage.
- Currently, the upper portion of the parcel is improved with a single-family residence, attached carport, and a small shed. The lower portion of the parcel is improved with a small 119-square foot wooden deck with attached stairs leading to the beach.
- A 25-foot tall flagpole is located 5 feet from the east property line.
- The applicants have volunteered to remove the wooden deck and associated stairs from the site.
- The shoreline of the site is improved with a concrete bulkhead and a 253-square foot swim float which is located 177 feet waterward of the bulkhead. The applicants have proposed to remove the float upon completion of the proposed dock.
- The fetch in this area of Hale Passage is approximately 1,997 feet.
- There are other similar size and shaped docks located to the east and west of the subject site.
- The access to the site is via a driveway off Warren Drive NW which abuts the parcel to the west.

Surrounding Land Use / Shoreline / Zoning Designation

	LAND USE	SHORELINE	ZONING
North	Single-family residence	N/A	Rural 10 (R10)
South	Hale Passage	Rural Residential	N/A
East	Single-family residence	Rural Residential	R10
West	Fox Island Bridge Rd NW	Rural Residential	R10

Agency Review Comments

The proposed project has been routed to interested departments and agencies for review and comment.

Comments received from various departments and agencies may be found by accessing the Online Permit Information referenced on page 1.

Comments have been received, and corrections and/or additional information requested by the following agencies on the application:

- Washington State Department of Natural Resources will not require a lease for the proposed dock.
- On July 17, 2018, Dawn Anderson, PPW Development Engineer, required the applicant to obtain a site development permit for the removal of the deck.
- The County Biologist, Dara Kessler, required a Title Notification as the project is located within mapped forage fish habitat and kelp beds.

Public Comments

- To date, no comments have been received from the adjoining neighbors or the public.

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

Gig Harbor Peninsula Community Plan (Pierce County Code, Title 19B)

- Piers and docks should be permitted in the Urban, Rural-Residential, and Rural Shoreline Environments. Piers and docks should generally be prohibited in the Conservancy and Natural shoreline environments.
- Encourage environmentally friendly dock design (e.g., grated dock surfaces that allow light to pass through instead of traditional dock construction methods).
- Require the joint use of piers and docks whenever possible. Create a system of incentives that will encourage adjacent property owners to share docks. Afford greater flexibility in joint use facility design in cases that involve shallow water depths or other unusual circumstances.
- Maximum intrusion into water for any pier or dock shall extend only far enough to obtain a depth of 8 feet of water as measured at mean lower low water (MLLW) on saltwater shorelines or as measured at the ordinary high water mark on freshwater shorelines. In circumstances when 8 feet of water depth cannot be attained because of a shallow bottom profile, the maximum intrusion into the water shall not exceed the lesser of 15 percent of the fetch or 150 feet on saltwater shorelines and 40 feet on freshwater shorelines. In circumstances where these standards have been exceeded on abutting properties, it may be appropriate to average the length of the abutting docks if joint use cannot be obtained.

Staff Comment: A single-use dock is proposed for this site. The Gig Harbor Peninsula Community Plan policy states, in part, the maximum intrusion of the dock into the water shall not exceed the lesser of 15 percent of the fetch or 150 feet on saltwater shorelines. The proposed dock is 154 feet long (150-feet over water) and approximately 7.6% of the fetch (less than 15%), therefore meeting the above policies requirements. The proposed dock, if approved, will not impact ingress and egress of the adjoining neighbors.

Fox Island bridge is located immediately to the west of the site and shoreline of immediate adjoining parcels to the east is improved with a similar size joint-use dock. This dock was approved by the Pierce County Hearing Examiner on July 21, 2004 (case number SD43-03).

It should be noted that there are other similar size docks within close proximity of the site.

Therefore, the proposed dock will not have an impact on the views of the neighboring properties or be out of character with other properties within close vicinity of the site.

A single-use dock is allowed; however, joint use docks are encouraged. On July 30, 2018, staff received a letter from the immediate neighbor to the east indicating their lack of interest in a joint-use dock.

Pierce County Shoreline Master Program Policies (Pierce County Code, Title 19D.190)

The Shoreline Master Program provides goals and policies for development on Pierce County shorelines. The proposal is located within the Rural-Residential Shoreline Environment Designation.

Rural Residential Environment

B. General Regulations and Policies

1. Preferred Uses: Single-Family residence

Staff Comment: The site has been used for residential purposes since 1981. A single-family dwelling is a permitted use in the Rural Residential Shoreline Environment and the proposed dock and flagpole are considered accessory to the existing single-family residence. If approved, the project will function as a recreational amenity accessory to the existing single-family residence; as such, it can be consistent with the policies of this environment.

The following policies from the Shoreline Master Program are applicable to the proposal:

- 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.
- Areas having a significant near shore fishery should not be used for floating docks.

Staff Comment: The applicants want to construct a single-use dock on this site and have provided a letter from adjoining neighbors to the east indicating their lack of interest in participating in a joint-use dock.

Per the submitted site plan, an approximately 86-foot long portion of the proposed 150-foot,

single-use dock (over water) is considered as a pier. County regulations prefer floating docks over piers; however, state/federal agencies prefer piers. It should be noted that there are many docks (single and joint), with similar length piers located in this area of Hale Passage.

From the proposed location, the project does not create substantial impacts to navigation or recreation of the area. Limiting the length of the pier/ramp/float to 15% of the fetch will help to minimize impact to recreation of the area.

Shading from piers has been shown to impact habitat for some fish species. The proposed pier/ramp/float surface will be grated to allow for light passage; therefore, reducing the impact for some fish species habitat.

Based on the submitted site plan, the dock will be constructed perpendicular to the shoreline and, as such, the length parallel to shore will be limited to the maximum allowable width of 8 feet. The proposed dock will include 6 spans, and will be supported by eight 8-inch galvanized steel pile on the pier and four 10-inch galvanized steel pile on the float portion of the dock for a total of 12 steel pile, which is the minimum necessary for stability of the structure. In addition, the proposed dock meets the guideline of a 10-foot setback or separation from the abutting parcels.

Pierce County Development Regulations

Current Planning reviewed the proposal for conformance with the requirements of Title 18A – Pierce County Development Regulations-Zoning, Title 18D – Pierce County Development Regulations – Environmental, Title 18E – Pierce County Critical Areas, and Title 20 – Pierce County Shoreline Use Regulations.

Pierce County Shoreline Management Use Regulations (Pierce County Code, Title 20)

The Shoreline Management Regulations contains the regulations that implement the Shoreline Master Program.

- Construction of the proposed project exceeds established fair market value (\$7,407.00) for development, and therefore, the proposed construction shall be considered a substantial development for the purpose of this Title.
- A saltwater dock exceeding 50 feet in length and a buoy, require a Shoreline Substantial Development Permit in the Conservancy Shoreline Environment.
- 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.
- Single-use piers and docks: 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 (MLLW) on saltwater shorelines or as measured at ordinary high water in freshwater shorelines, except that the intrusion into the water of any pier or dock should not exceed the lesser of 15 percent of the fetch or 150 feet on saltwater shorelines and 40 feet on freshwater shorelines.
- Single-use piers and docks: Maximum length parallel to shore should not exceed eight feet.
- Single-use piers and docks: A minimum separation of 10 feet should be maintained between the structure and the side property lines extended at a right angle to the shoreline.

Staff Comment: The proposed project is accessory to a waterfront single-family residence, which is located on the northeast shore of Hale Passage. The proposed dock is over 50 feet in length and, as such, will need approval of an SD application. As mentioned earlier in this Report, the proposed structure is for construction of a single-use dock and not a joint-use dock as is encouraged by the County code.

The proposed dock will be 7.6% of the fetch and 150 feet long (the portion over water). If approved, it will not unduly impair views from other surrounding properties as there are similar docks within close vicinity of the site. The pier/ramp/float design and size are consistent with the character of other over-water structures in Hale Passage.

The dock from the proposed location will not affect ingress-egress or the use and enjoyment of the water or beach on the adjoining properties. Based on the submitted site plan, the proposed dock is 115 feet from the closest dock to the east and 362.5 feet from the closest dock to the west. The dock to the east is a joint-use dock, approved by the Hearing Examiner on July 21, 20014, under case No, SD43-03.

Overall, the dock meets all requirements for fetch, length, piling vertical clearance, and setbacks. Moreover, the depth of water at the end of the dock will be less than 8 feet as measured at mean lower low water (MLLW).

The proposed dock would be designed and engineered appropriately and it is the responsibility of the property owners to maintain the structure in a safe and sound condition. In addition, if approved, the plastics or other nondegradable materials which are used in pier construction must be contained.

Note: The proposed dock can be conditioned to meet all requirements for approval of an SD application.

The flagpole is proposed to remain at 25 feet tall and 5 feet from the east property line. Staff believes retention of the flagpole will not have any impact on the view of the neighboring properties.

The applicants are proposing to remove the existing small wood deck with the bench along with the attached wood stairs and replant the area as mitigation for the proposed project. In addition, the applicants have voluntarily proposed to remove the existing swim float, located 177 feet waterward of the bulkhead, once the dock is approved. Removal of the listed items do not require approval of an SD application.

DDH Holdings-Huber IPR PAC-MC