

Initial Project Review

Shoreline Substantial Development: Watson

Application Numbers: 976119 and 977021
Parcel Number: 3970000570

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: March 9, 2022, at 6:30 p.m. Due to COVID-19 restrictions, this meeting will be held virtually. To participate, visit www.Zoom.com and click “Join a Meeting” or call 253-215-8782, then enter the Meeting ID: 912 1196 5753, and Passcode: 061633, or click on the following link: <https://piercecountywa.zoom.us/j/91211965753?pwd=enJ0QUtKZHlkcy9nWnJvTTJQRVNRdz09> For additional questions regarding the virtual meeting process, contact Tiffany Aliment at 253-798-3226 or tiffany.aliment@piercecountywa.gov.

Proposal: The applicant is requesting Shoreline Substantial Development (SD) permit approval to repair approximately 50 feet of an existing concrete bulkhead that is failing by using RediRock, rebuild beach access stairs adjacent to the existing bulkhead after removing stairs that protrude out into the water, construction of a new 12-foot tall, 300-square foot boathouse, and construct a pathway to the boathouse.

Project Location: 179 Bella Bella Drive, Fox Island, WA, within Section 27, T21N, R1E, W.M., in Council District # 7

Review Summary: County staff has reviewed this proposal for compliance with all applicable policies, codes, and regulations. The County finds, based on an initial project review, that the proposal appears to be consistent with the applicable codes and regulations and that staff will be recommending approval of the proposal, subject to conditions.

Zone Classification: Rural 10 (R10)

Community Plan Area: Gig Harbor Peninsula

Shoreline Environment: Residential Shoreline Environment Designation

State Environmental Policy Act (SEPA): The proposal is subject to the requirements of SEPA as result to work being performed below the ordinary high water mark (OHWM) of the Puget Sound.

County Contact: County Contact: **Tony Kantas**, Senior Planner, tony.kantas@piercecountywa.gov, or 253-798-2789

Pierce County Online Permit Information:

<https://palsonline.co.pierce.wa.us/palsonline/#/permitSearch/permit/departementStatus?applPermitId=976119>



Project Data

Application Complete: December 3, 2021

IPR Mailed Date: March 2, 2022

Owner/Applicant: Mark and Kelly Watson
179 Bella Bella Drive
Fox Island, WA 98333
Kelly.w@kensingtongardens.com

Agent: Carl Halsan
Halsan EF&P
PO Box 1447
Gig Harbor, WA 98335
carlhalsan@gmail.com

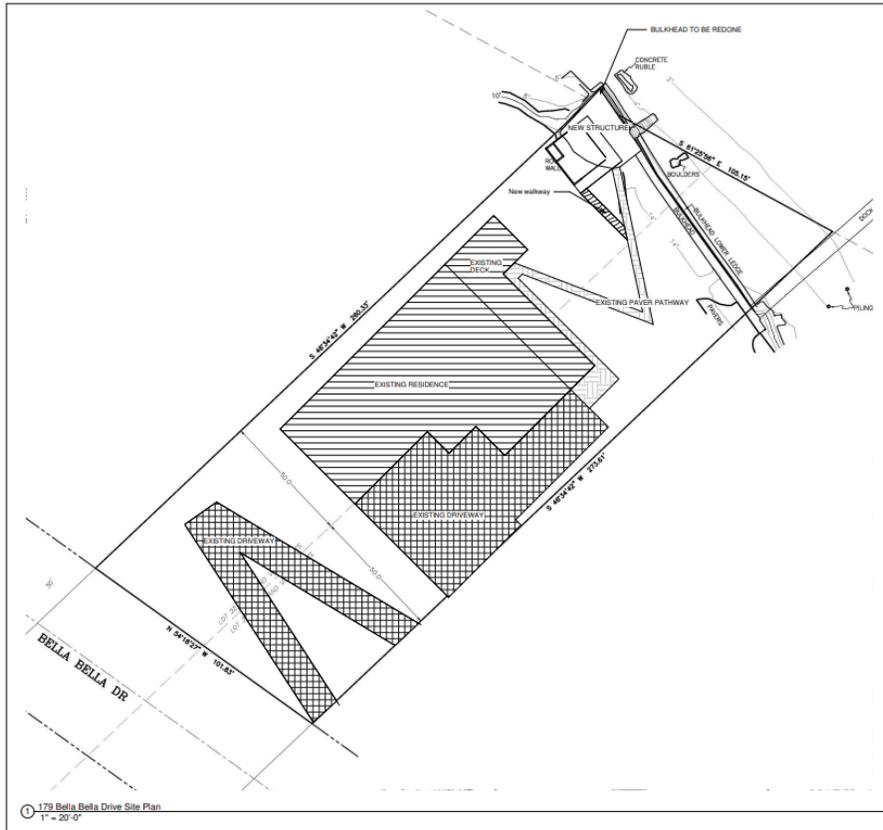
Public and Legal Notice

- *February 1, 2022*: Notice of Application, including the Gig Harbor Peninsula Advisory Commission (PAC) public meeting information, 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.
- *February 10, 2022*: Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *February 23, 2022*: Legal notice was published in the official County newspaper (*Tacoma News Tribune*), advertising the PAC public meeting.

2019 Ortho Photo



Proposed Site Plans



SOUTH SOUND DESIGN

Designer
South Sound Design
Morgan Cammisa
3617 Franklin Ave. Dr
Gig Harbor, WA 98332

Consultant
Address
Phone
Fax
e-mail

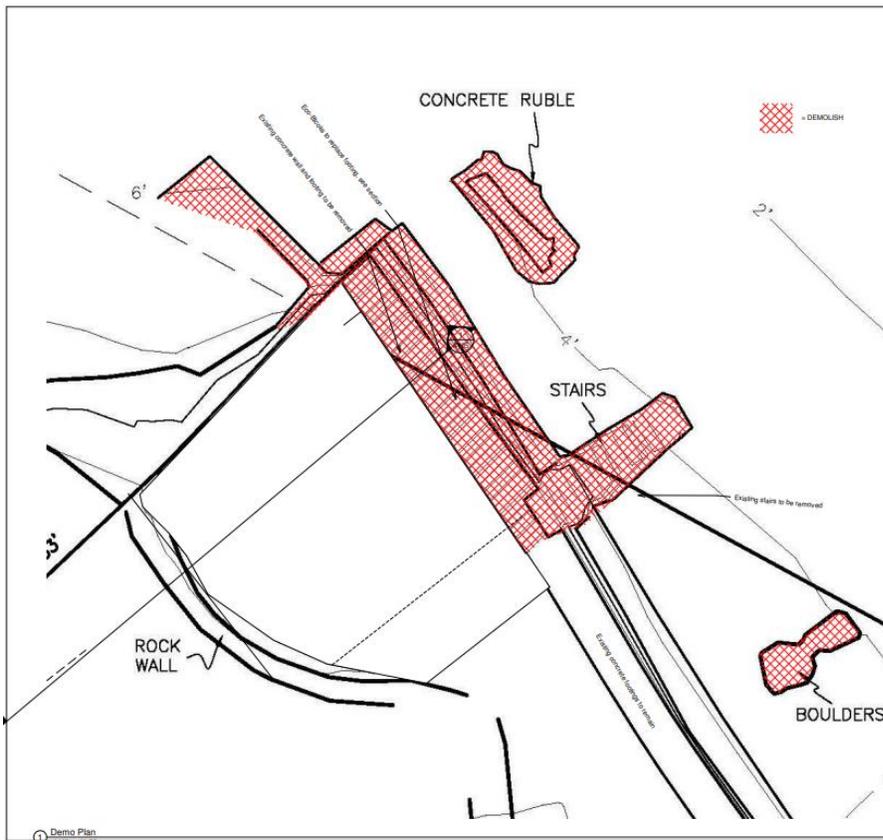
No.	Description	Date

Kelly Watson
Boat House
Site Plan

Project number: 01
Date: 1/06/2021
Drawn by: Author
Checked by: Checker

A101

Scale: 1" = 20'-0"



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Designer
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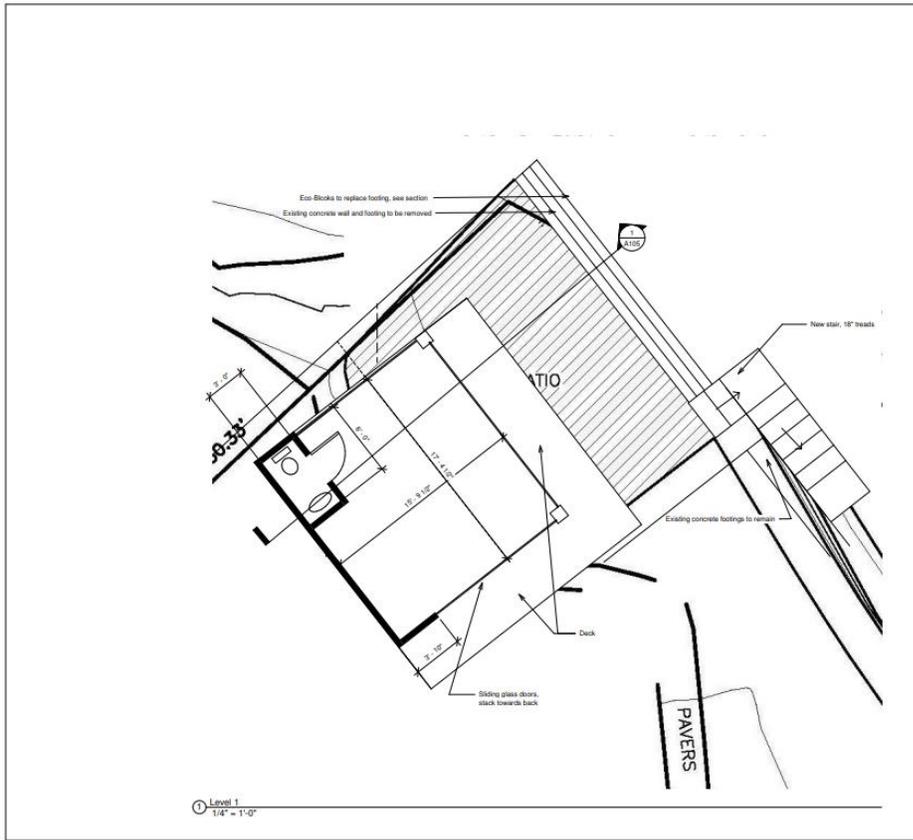
No.	Description	Date

Kelly Watson
Boat House
Demo Plan

Project number: 01
Date: 1/06/2021
Drawn by: South Sound Design
Checked by: MC

A102

Scale: 1/4" = 1'-0"



SOUTH SOUND DESIGN

Designer
 South Sound Design
 Morgan Cummings
 3417 Harborview Dr
 Gig Harbor, WA 98332

Consultant
 Address
 Phone
 Fax
 e-mail

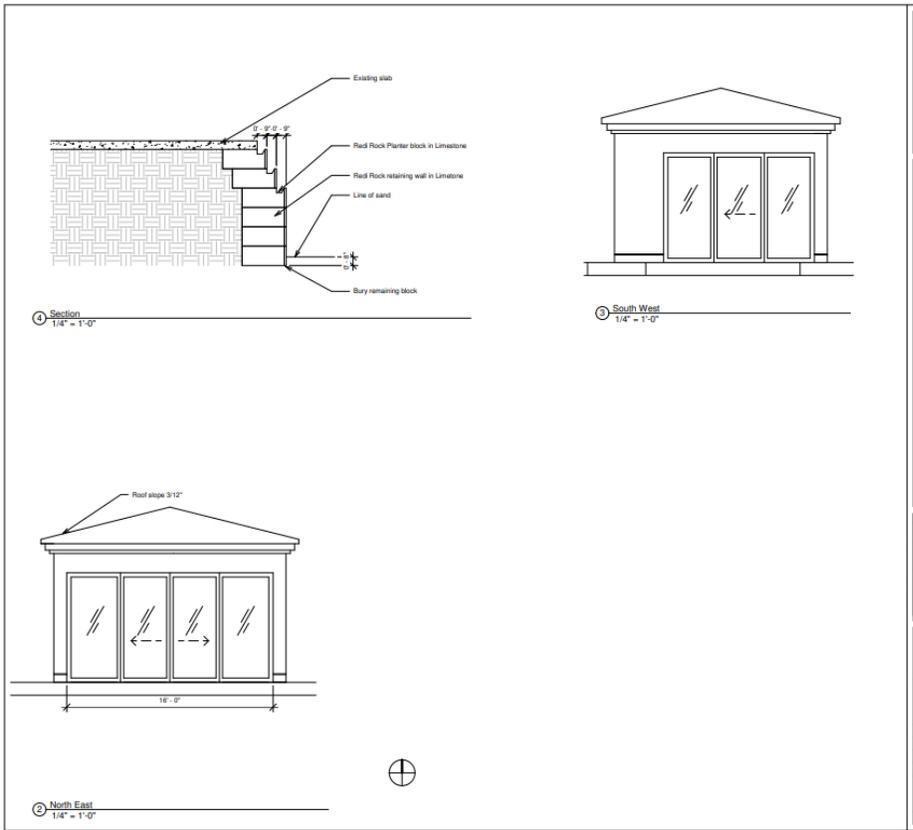
No.	Description	Date

Kelly Watson
 Boat House
 Boathouse Plan

Project number: 01
 Date: 1/06/2021
 Drawn by: Author
 Checked by: Checker

A103

Scale: 1/4" = 1'-0"



SOUTH SOUND DESIGN

Designer
 South Sound Design
 Morgan Cummings
 3417 Harborview Dr
 Gig Harbor, WA 98332

Consultant
 Address
 Phone
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No.	Description	Date

Kelly Watson
 Boat House
 Design

Project number: 01
 Date: 1/06/2021
 Drawn by: South Sound Design
 Checked by: MC

A104

Scale: 1/4" = 1'-0"

Surrounding Land Use / Zoning Classification

LAND USE		Shoreline	ZONING
North	Puget Sound	Aquatic	N/A
South	Bella Bella Drive	N/A	Rural 10 (R10)
West	Single-Family	Shoreline Residential	R10
East	Single-Family	Shoreline Residential	R10

Comments from Agencies and Public

Written comments received on this proposal may be found by accessing the Online Permit Information referenced on Page 1. The substance of these comments will be reflected, where appropriate, in the conditions of approval in the Staff Report.

To date, the County has not received any comments from nearby property owners in response to the notice of application that was mailed to neighboring property owners.

Comments have been received to date on the proposal from the following departments and agencies:

Nisqually Indian Tribe: Has requested archaeological monitoring.

Squaxin Indian Tribe: Has requested archaeological monitoring.

Puyallup Indian Tribe: Has requested a cultural resource survey to be completed prior to ground disturbance.

State of Washington Department of Archaeology: Has requested archaeological monitoring and consultation with concerned Tribes.

County Biologist: Has requested a habitat assessment report.

Development Engineering: Requested the boathouse to be moved out of the flood zone. The revised site plan has moved the boathouse outside the flood zone.

Background

The subject property is .64 acre in size and measures 102 feet wide by 273 feet in length. The property is developed with an existing single-family residence and normal appurtenances to a single-family residence i.e., driveway, septic system, and attached garage. The landward side of the existing residence consists of trees, a driveway, and septic system. Existing improvements on the waterward side of the residence consists of a deck, a walking path from the residence to the water, landscaping, a bulkhead, and a shared dock. The existing deck is set back approximately 57 feet from the bulkhead, at its closest point, with the residence being set back approximately 65 feet from the bulkhead at its closest point. The existing bulkhead is considered the OHWM.

The site slopes downward from Bella Bella Drive from an approximate elevation of 70 feet to an approximate elevation of 30 feet near the residence, resulting to an approximate 20% slope. The site is served by public water and an on-site septic system. The existing on-site impervious surface is approximately 25% of the subject property.

Initial Staff Review for Consistency with Applicable Land Use Policies and Regulations

The proposal is subject to review for conformance with Pierce County plans, codes, and regulations.

Title 19A, Pierce County Comprehensive Plan

The Comprehensive Plan applies to all land uses within the County. Policies include, but are not limited to:

- **ENV-2.4.1:** Require mitigation for vegetation removal.
- **Goal ENV-6:** Recognize the adopted Pierce County Shoreline Master Program is the Shoreline Element of the Comprehensive Plan.

The application includes no vegetation removal. As proposed and conditioned, staff does not find that the proposal conflicts with goals or policies in the Comprehensive Plan.

Gig Harbor Community Plan

The Gig Harbor Community Plan applies to all land uses within the Gig Harbor Community Plan area. Staff finds the following goals of the Community Plan applicable to the proposal:

- GOAL GH ENV-2 Development standards along shorelines should ensure the preservation of native vegetation and wildlife habitat and protect water quality and natural shoreline processes.
- GH ENV-2.2 Require a tree canopy and native vegetation buffer plan for new development in all shoreline environments.
- GOAL GH ENV-4 Encourage shoreline restoration activities that increase the function and value of the nearshore environment.

Staff Response: The property was originally developed in 1950, prior to there being shoreline buffer and impervious surface requirements within the shoreline jurisdiction. The proposed shoreline application does not include removal of any native vegetation but does include shoreline restoration in respect to removal of a stairway that protrudes out into the water and concrete rubble that exists below the OHWM.

As proposed and conditioned, staff believes the proposal will comply with the goals of the Gig Harbor Community Plan.

Title 18S, Development Policies and Regulations – Shorelines

The application requires approval of a Shoreline Substantial Development Permit as a result to the accumulative total cost of the project being greater than \$7,047 (WAC 173-27-040(2)(a)) and substantial improvement within the shoreline buffer. Shoreline Planning has reviewed the proposal for conformance with the requirements of Title 18S PCC, Development Regulations – Shorelines.

The following provides an analysis of how the project complies with applicable provisions of Title 18S:

Shoreline Substantial Development (SD) Permit Exemptions (18S.60.020)

The Shoreline Management Act (Act), WAC 173-27-040, makes an allowance for specific development which may be allowed without processing a SD. PCC 18S.60.020.C.2 states the following regarding Normal Maintenance and Repair:

Normal Maintenance and Repair. Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements.

- a. Normal Maintenance includes those usual acts to prevent a decline, lapse, or cessation from a legally established condition.
- b. Normal Repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment.

Staff Response: An Exemption to an SD still must demonstrate compliance with all applicable requirements of Title 18S. The property contains an existing bulkhead along the OHWM. The application includes repairing approximately 50 feet of an existing concrete bulkhead that is failing by using RediRock. The repair will take place along 49% of the existing 102-foot-long bulkhead.

Shoreline Substantial Development Permit (SD) (18S.60.040)

To approve an SD, the project must comply with the following decision criteria of 18S.60.040.D:

1. The proposal is consistent with the policies and procedures of the Act.

Applicant Response: The policies and procedures of the Act allow for a boathouse if property sited and allow for existing shoreline improvements to be repaired.

2. The proposal is consistent with this Title's policies and regulations including, at a minimum, the following:
 - a. Policies and regulations of the shoreline environment designation (SED) in which the proposal is located;

Applicant Response: The polices and regulations of the Residential designation allow for all the proposed uses.

- b. Policies and regulations for Shorelines of Statewide Significance if the proposal is within such area;

Applicant Response: N/A

- c. Policies and regulations within the applicable General Policies and Regulations found in Chapter [18S.30](#) PCC; and

Applicant Response: All portions of the project are consistent with the applicable 18S.30 polices and regulations.

- d. Policies and regulations within the applicable Use and Development Policies and Regulations found in Chapter [18S.40](#) PCC.

Applicant Response: All portions of the project are consistent with the applicable 18S.40 polices and regulations.

3. The proposal is consistent with the applicable provisions of Title [18E](#) PCC.

Applicant Response: All portions of the project are consistent with the applicable 18E polices and regulation.

4. The proposal is consistent with the applicable policies of the Comprehensive Plan and any applicable Community Plan.

Applicant Response: Both the Comprehensive Plan and the Gig Harbor Community Plan are silent with regard to the project components.

5. The proposal is consistent with all applicable development regulations, including but not limited to Title [18A](#) PCC, Development Regulations – Zoning.

Applicant Response: All portions of the project are consistent with the applicable 18A regulation.

Staff concurs with the applicant’s findings for an SD and staff’s review of the shoreline permit application will assure compliance. The below code provisions of 18S are also applicable to the proposed SD:

- Residential Shoreline Environment Designations (SED) (18S.20.050)
The subject property has a Residential Shoreline Environment Designation. The intent of the Residential SED is to accommodate residential development in areas that are already developed with or planned for residential development. The Residential SED may also include water-oriented commercial and recreation uses.

Staff Response: The subject property and all surrounding properties are developed with single-family residences. The proposal includes improvements that are permitted when the permit application demonstrates compliance with all applicable requirements of Title 18S. The shoreline permit will be reviewed and conditioned to assure compliance with 18S.20.050.

- Archaeological, Cultural and Historic Resources (18S.30.020)
The intent of this section is to recognize that these resources can be found throughout the County and that they are valuable because they are irreplaceable and limited. When these resources are found on shoreline sites they should be preserved, protected and restored. Applicable policies include:

Staff Response: The Puyallup Indian Tribe has requested a cultural resource survey to be completed prior to ground disturbance. The applicant has contracted with an Archeologist to perform a cultural resource survey. A shoreline permit will not be issued until the cultural resource survey is accepted and approved by the Puyallup Indian Tribe and the State of Washington Department of Archaeology.

- Ecological Protection (18S.30.030)

The intent of the Ecological Protection policies and regulations is to ensure that shoreline development is established and managed in a manner that protects existing ecological functions, ecosystem-wide processes, and mitigates adverse impacts to ecological functions. This means assuring no net loss of ecological functions and process in shorelines, and protection of critical areas designated in Title 18E PCC.

Ecological functions refer to “... the work performed, or role played by, the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline’s natural ecosystem.” (PCC 18S.18.70 – Appendix A)

Uses and Development Allowed within Standard Shoreline Buffer (18S.30.030.E.4)

- a. Water dependent uses and public shoreline access are allowed within the standard shoreline buffer subject to applicable regulations of the Master Program.
- b. An unpaved access path from a residential dwelling to the shoreline is allowed if:
 - (1) The path width is limited to 4 feet; and
 - (2) The length of the path is minimized by keeping the path at a right angle to the shoreline to the degree feasible; and
 - (3) No trees are removed.
- c. Up to 500 square feet or 25 percent of the area encompassed within the first 50 feet measured from the ordinary highwater mark (OHWM) may be disturbed to accommodate shoreline access, landscaping, or minor construction associated with a water dependent use upon review and approval of a Vegetation Planting Plan pursuant to subsection G.2. of this Section. Such disturbance shall not be concentrated nor span the extent of the shoreline at the water's edge.

Staff Response: The shoreline application includes a boathouse and a pathway to the boathouse within the shoreline buffer. PCC 18S.40.140.D.9 provides specific standards pertaining to boathouses, which is discussed below. The shoreline permit will be reviewed and conditioned to assure compliance with all requirements of 18S.30.030.

- Excavation, Dredging, Filling and Grading (18S.30.040)

The intent of this section is to provide direction for shoreline excavation, dredging, filling, and/or grading associated with a principle use. This Section may contain more restrictive regulations that limit or effectively preclude a use or development that is authorized pursuant to other Section(s) and this Section shall control in the event of a conflict.

Staff Response: The application includes no imported fill within the shoreline buffer.

- Scenic Protection and Compatibility (18S.30.060)

The purpose of the policies and regulations in this section is to preserve shoreline scenic vistas and ensure development on shorelines is compatible with the surrounding environment, existing and planned development.

Applicable section policies include, but aren't limited to:

Policy B.2: Locate new residential structures with respect to views and with a height limit of 35 feet.

Policy B.6: Address scenic protection and aesthetic impacts, including views, through measures such as placement of utilities underground, minimizing topographic alterations for above ground uses, increased setbacks, landscaping, low impact development (LID) techniques, screening, color selection etc.

Policy B.11: Consider impacts to view and scenic resources enjoyed by abutting uses.

Staff Response: The subject property and the neighboring lots are developed with existing single-family residences. Based on the configuration of existing neighboring development and adjacent landscaping, staff does not foresee any visual impacts resulting of the proposed boathouse. The bulkhead repair and stair replacement will not impede any views.

- Water Quality, Stormwater, and Nonpoint Pollution (18S.30.100)

The intent of the policies and regulations of this section is to protect against adverse impact to water quality and quantity. Applicable policies include, but are not limited to:

Policy B.1: Locate, construct and operate development in a manner that maintains or enhances the quantity and quality of surface and ground water over the long term.

Policy B.2: Prevent impacts to water quality and stormwater quantity that would result in a new loss of shoreline ecological functions.

Staff Response: The shoreline permit application is being reviewed and will be conditioned to assure no water quality impacts.

- Residential (18S.40.100)

The intent of the policies and regulations of this section is to accommodate residential development and appurtenances. Single-family residences are a preferred use within the Conservancy and Residential SEDs when consistent with control of pollution and prevention of damage to the natural environment. The Residential policies and regulations encourage sustainable residential development through restrictions on the scale of development, preservation of vegetation and topography, and minimization of impacts to fish and wildlife habitats.

Staff Response: The shoreline permit will be reviewed and conditioned to assure compliance with all applicable requirements of 18S.40.100.

- Water access Facilities (18S.40.140)

The Water Access Facilities policies and regulations are intended to manage development of facilities that support water dependent uses such as mooring buoy, mooring piling, float, lift, railway, launching ramp, dock (pier, ramp, and/or float), marina, and water access stairs.

A. Applicability. This Section applies to water dependent facilities such as mooring buoy, mooring piling, float, lift, railway, launching ramp, dock (pier, ramp, and/or float), boathouse, and marina.

9. Boathouses.

- a. Boathouses shall be constructed landward of the OHWM;
- b. Boathouses may be served by utilities, but otherwise shall not be utilized for purposes other than boat storage;
- c. A boathouse may include a sink and toilet but shall not include other bathroom facilities or other human habitation accommodations;
- d. A boathouse shall be limited to a maximum of 300 square feet and shall not exceed a building height of 12 feet; and
- e. A boathouse may have a zero setback from the OHWM, but allowance of the boathouse shall not justify the need for shoreline armoring.

Staff Response: The proposed shoreline permit application complies with all the policies, regulations, and standards of PCC 18S.40.140 to construct a boathouse.

Question from Staff for the PAC:

Does the PAC believe that the applicant is meeting the SD requirements of the Gig Harbor Peninsula Community Plan? If no, what changes are recommended.

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