

Initial Project Review

Shoreline Substantial Development Permit / Shoreline Administrative Conditional Use Permit / Environmental Checklist: Chalet Emma LLC Dock System

Application Numbers: 981710, 981712, 981713

Parcel Number: 7590000200

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: May 25, 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: 965 8117 0037, Passcode: 571929, or follow this link:

<https://percecountywa.zoom.us/j/96581170037?pwd=K2pIVjFEeHJ5aFNITXZUcWRDcnZZZz09>

For additional questions regarding the virtual meeting process, contact Danica Williams at 253-798-7156, or danica.williams@percecountywa.gov.

Proposal: Remove existing solid deck boat dock and replace with a pier, ramp, float and piling in the Residential Shoreline Environment and replace a septic system.

Project Location: 233 Shorewood Court Fox Island, WA 98333, in the Residential Shoreline Environment and Rural 10 (R10) zone classification of the Gig Harbor Peninsula Community Plan area, within Section 21, T21N, R01, W.M., in Council District #7

Review Summary: The project can be conditioned to comply with all applicable policies and objectives of the Pierce County Code, Shoreline Regulations, Comprehensive Plan, and Gig Harbor Peninsula Community Plan. 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): A SEPA checklist was submitted for this application. Planning and Public Works (PPW) has not yet concluded its environmental review. Note: The project is **not** likely to result in any significant adverse environmental impact and a Determination of Nonsignificance (DNS) is likely to be issued.

County Contact: Robert Perez, Planner, 253-798-3093, robert.perez@percecountywa.gov

Pierce County Online Permit Information:

<https://pals.percecountywa.gov/palsonline/#/permitSearch/permit/departementStatus?applPermitId=981710>



Project Data

Complete Application Date: February 15, 2022

Initial Project Review Mailed: May 18, 2022

Applicants/Owners: Chalet Emma LLC
Attn: Laura Moody
PO Box 7803
Bonney Lake, WA 98391
laura.moody@acm.org

Agent: Tabitha Simonetti
Marine Floats
313 East F Street
Tacoma, WA 98421
tabitha@marinefloats.com

Legal Notice

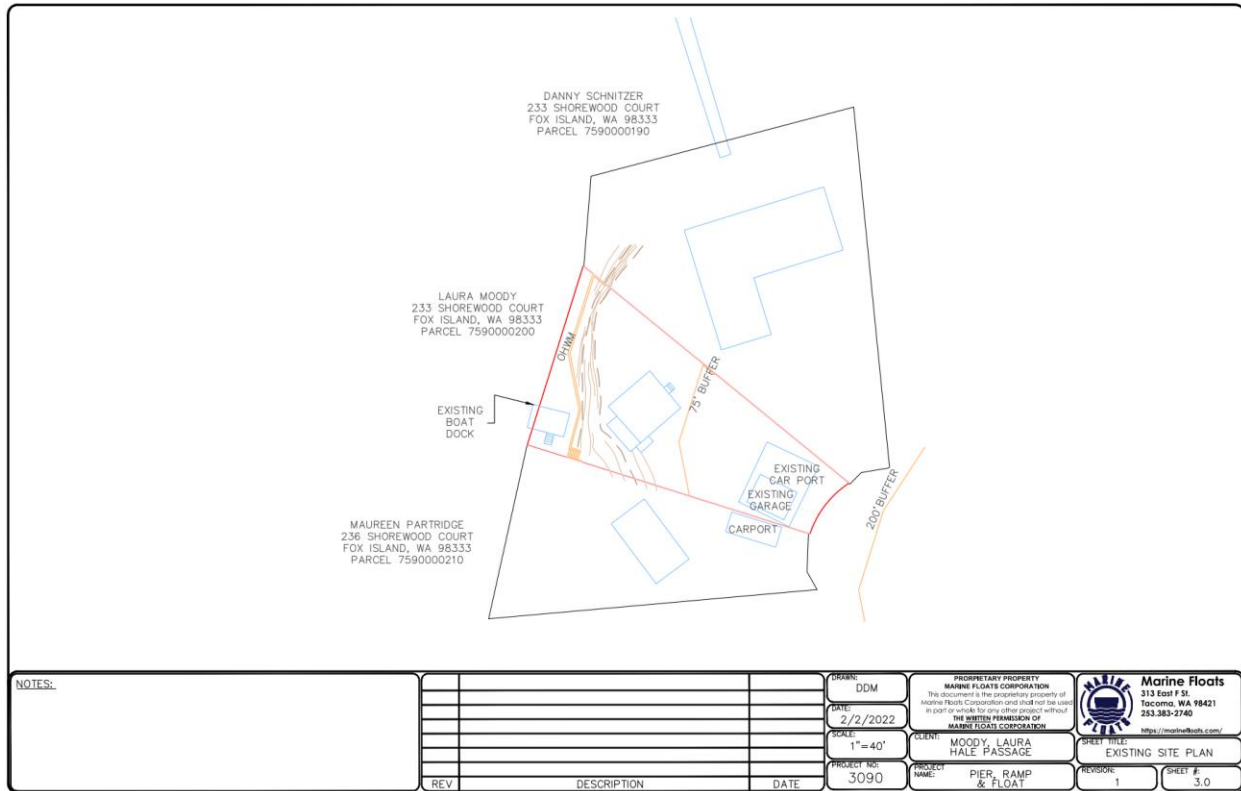
- *February 23, 2022*: Notice of Application and Public Meeting Notice was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- *March 7, 2022*: Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *May 11, 2022*: Legal notice was published in the official County newspaper (*Tacoma News Tribune*), advertising the public meeting to be held by the Gig Harbor Peninsula Advisory Commission.

2020 Ortho Photos

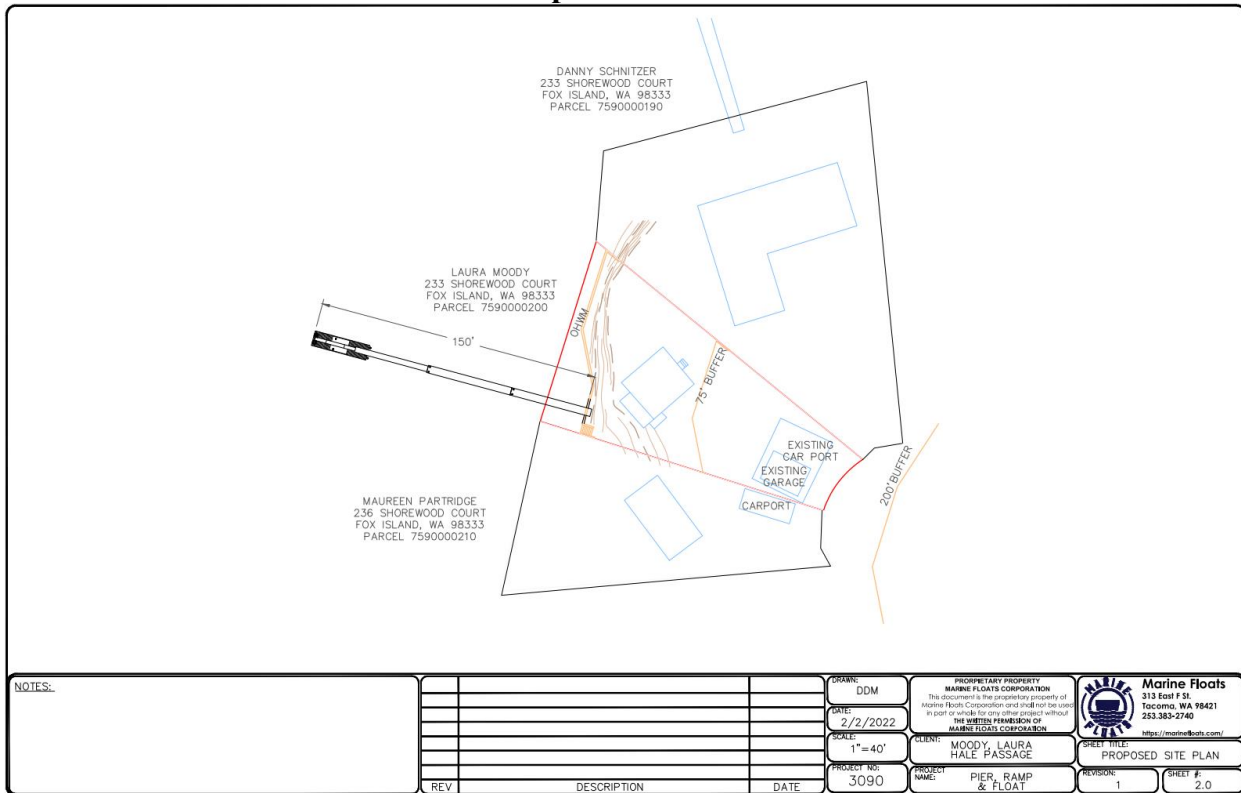


Site Plan

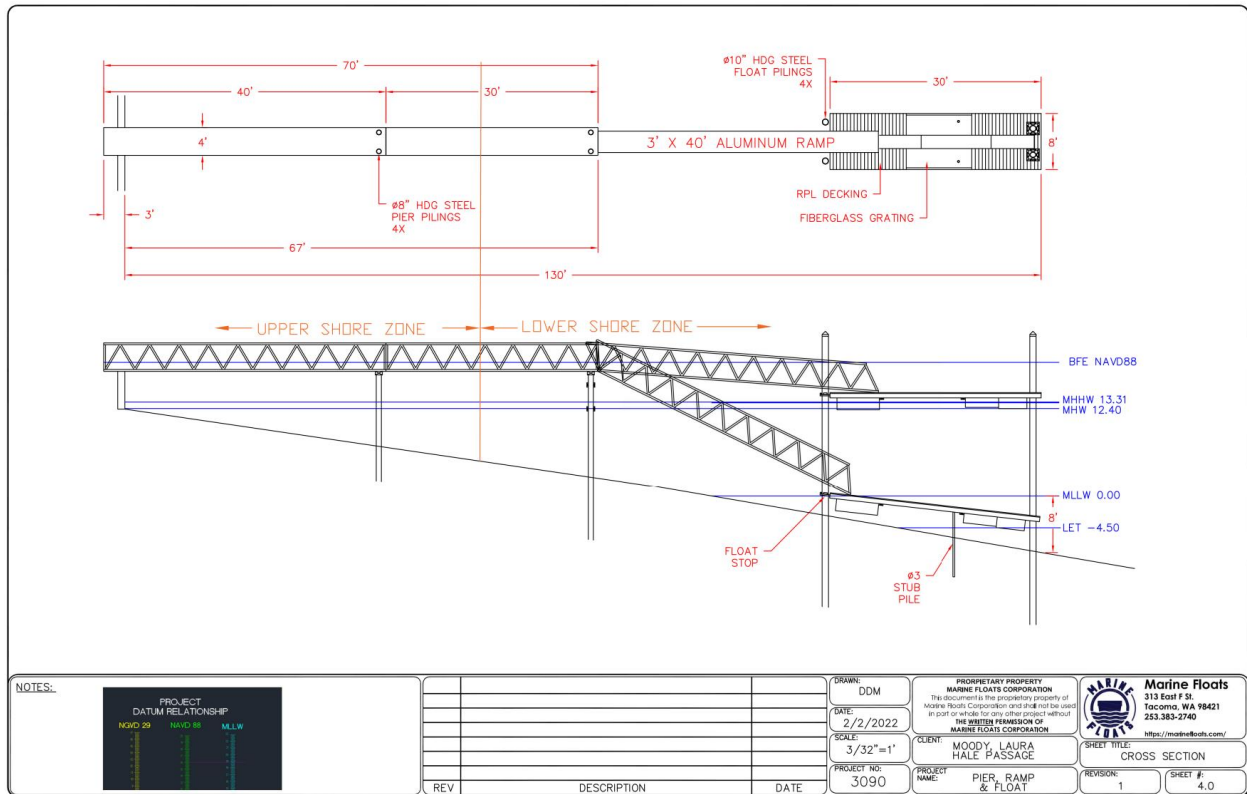
Existing Site Plan



Proposed Site Plan



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.
- Cartography reviews road names and addresses.
- 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 County Assessor lists parcel .193 acres.
- The parcel is located on the northern shore of Fox Island.
- The access to the site is via a driveway off Shorewood Ct.
- The parcel is improved with a single-family residence, bulkhead, and overwater deck.

Surrounding Land Use / Shoreline / Zoning Designation

	LAND USE	SHORELINE	ZONING
North	Puget Sound	Aquatic SED	Rural 10 (R10)
South	Single Family	Residential SED	R10
East	Single Family	Residential SED	R10
West	Single Family	Residential SED	R10

Agency Review Comments

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

Department of Ecology
Squaxin Island Tribe
Puyallup Tribe of Indians
Nisqually Indian Tribe
Department of Archaeology and Historic Preservation

Public Comments

Public comments have not been received at time of writing this report.

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

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

- It is important that the natural features and critical functions of the marine and freshwater shoreline areas be preserved and protected for present and future generation.
- The natural character and ecology of the shoreline environment should be preserved.
- Consider implementing low impact development tools.
- Require a tree canopy and native vegetation buffer plan for new development in all shoreline environments.
- Discourage lawn areas that extend to the edge of slopes, bluffs, or beaches.
- Encourage retention of native vegetation immediately adjacent to the waterbody in any required setback.
- Require protection for trees, including snags, located along the shoreline.
- Analyze the cumulative impacts of shoreline development when evaluating an individual project.
- To discourage erosion, encourage limbing or pruning trees for view enhancement instead of removing an entire tree. Remove tree stumps on a case by case basis.
- To help control surface water runoff, discourage vegetation removal during construction and site development activity.

- Promote the voluntary retention and replanting of native vegetation along lakes, streams, and marine waters.

Staff Comment: A mitigation plan dated March 30, 2022, has been submitted under application 981710. Within the mitigation plan there is discussion of a vegetation planting plan, removal of debris, avoidance and minimization of aquatic resources, and performance standards. With this mitigation plan the proposal appears to comply with the Gig Harbor Community Plan.

Pierce County Shoreline Management Use Regulations (Pierce County Code, Title 18S)

- Construction of the proposed project exceeds established fair market value (\$6,416.00) for development and, therefore, the proposed construction shall be considered a substantial development for the purpose of this Title.
- A saltwater dock serving 4 or fewer parcels, requires a Shoreline Substantial Development Permit (SD) and a Administrative Conditional Use Permit (ACP) in the Residential 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.
- Facilities shall be stable against the elements and maintained in safe and sound condition.
- Facilities waterward of the OHWM in marine waters shall consist of an open framework (e.g., pilings, grated surfaces, cable railings, floating facilities held in place with anchors) as opposed to solid surfaces with no openings, to the maximum extent feasible.
- 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.
- Joint-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 the maximum length allowed.
- Joint-use piers and docks: Maximum length parallel to shore should not exceed eight feet.
- Joint-use dock shall include documentation of all parcel property owners that would share the facility. Prior to construction or installation, the owners shall record with the County Auditor a joint-use agreement that will appear on the titles of all parcels sharing the facility. The agreement should address apportionment of responsibilities/expenses, easements, liabilities, and use restrictions.

- Docks may consist of shapes other than a straight line, such as a "U," "T," or "L," as determined by the appropriate reviewing authority.
- Launching ramps, and covered moorage that is not light penetrable, are prohibited waterward of the OHWM.

Staff Comment: The pier/ramp/float design and size are consistent with the character of other over-water structures along the shoreline. The dock from the proposed location will not unduly 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 approximately 160 feet from the closest dock to the east and 290 feet to the west. The proposed single use dock will extend 130 feet overwater. The dock system is proposed to be installed on parcel number 7590000200.

A single use dock system serving a residential parcel is being proposed, which limits the maximum length to 150 feet. The fetch is 3,089 feet, 15 percent of the fetch is 463.

Per CP2020-01 Section 3.c When a field survey is requested by a Tribe or the Department of Archeology and Historic Preservation (DAHP) and neither 3a nor 3b are met, the County shall coordinate on a project by project basis with the requesting Tribe(s)/DAHP, consistent with the Comprehensive Plan, to determine the value of a field survey. The Puyallup Tribe of Indians, Nisqually Indian Tribe and DAHP have identified that the project area is located in close proximity to a previous human remains find location and is located at the end of a peninsula, which would have been a desirable location for occupation during the precontact period. Therefore, a cultural survey shall be conducted prior to any ground disturbing activities. This request is consistent based on the known historic significance of the Wollochet Bay area to pre contact societies and the increased likelihood of cultural resources.

Question from Staff for the PAC:

Does the PAC believe that the applicant is meeting the Shoreline Substantial Development and Shoreline Administrative Conditional Use permit requirements or have any comments or recommendations?

Chalet Emma LLC SD-SACP IPR PAC-RP.docx