

Initial Project Review

Shoreline Substantial Development Permit / Shoreline Administrative Conditional Use Permit / Environmental Review: Parchert-Fisk Pier

Application Numbers: 979705 (SD), 979707 (ACUP), 979715 (SEPA)
Parcel Number: 0221303027

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: June 8, 2022, at 6:30 p.m., at the City of Gig Harbor, southeast entrance, 3510 Grandview Street, Gig Harbor, WA 98335

Proposal: Installation of a 150-foot overwater joint-use pier/ramp/float system consisting of a 6-foot x 76-foot fully grated aluminum pier supported by four 10-inch galvanized steel piles, 4-foot x 42-foot fully grated aluminum ramp (spanning 36 feet), 8-foot x 40-foot - 50% functional grated float supported by four 10-inch galvanized steel piles.

Proposed off-site mitigation includes removal of 62 creosote-treated piles from property located at 10060 SW Dock Street, Vashon Island, WA 98070.

Project Location: 2315 - 48th Avenue Northwest, Gig Harbor, WA 98335, in the Residential and Aquatic Shoreline Environments, Rural 10 (R10) zone classification, and the Gig Harbor Community Plan area, within Section 30, T21N, R2W, W.M., in Council District #7

Review Summary: Staff believes the project can be conditioned to comply with all applicable policies and objectives of the Pierce County Code, Shoreline Regulations, Comprehensive Plan, and the Gig Harbor Peninsula Community Plan area. Staff has reviewed this proposal for compliance with all policies, codes, and regulations and intends to recommend approval, with conditions pending submittal and approval of a Cultural Resources Survey.

State Environmental Policy Act (SEPA): A SEPA checklist was submitted for this application. Pursuant to SEPA and the Pierce County Environmental Regulations (Title 18D), the Department has reviewed the proposal and determined that a Determination of Nonsignificance (DNS) is likely to be issued. Issuance of a DNS means that the County has determined the proposal is not likely to result in any probable significant adverse environmental impacts as long as the proposal complies with all County code requirements.

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

Pierce County Online Permit Information:

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departementStatus?applPermitId=979705>



Project Data

Complete Application Date: January 24, 2022

Applicant/Owner: Lee Parchert and Dianne Fisk
2315 and 2319 48th Avenue Northwest
Gig Harbor, WA 98335 -7500
parchertlee@gmail.com

Agent: Hannah Fritts
P.O. Box 2210
Port Orchard, WA 98366
hannah@thompsonpiledriving.com

Legal and Public Notice

- *February 15, 2022*: Notice of Application (NOA) and Public Meeting Notice, including the PAC meeting date, 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 5, 2022*: Revised NOA and Public Meeting Notice, including the PAC meeting date, 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.
- *May 23, 2022*: Second Revised NOA and Public Meeting Notice, including the PAC meeting date, 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.
- *May 25, 2022*: Public Notice sign was posted on-site, confirmed with a Declaration of Posting.
- *May 25, 2022*: Legal notice was published in the official County newspaper (*Tacoma News Tribune*), advertising the PAC public meeting.

Vicinity Map



Aerial Photo



Shoreline Environment Designation Map



Orange: Residential
Blue: Aquatic

Site Photos



Looking west from the project area, toward the bulkhead and beach access stairway.



Looking north along the shoreline from the project area.



Looking east from the project area out toward Wollochet Bay.

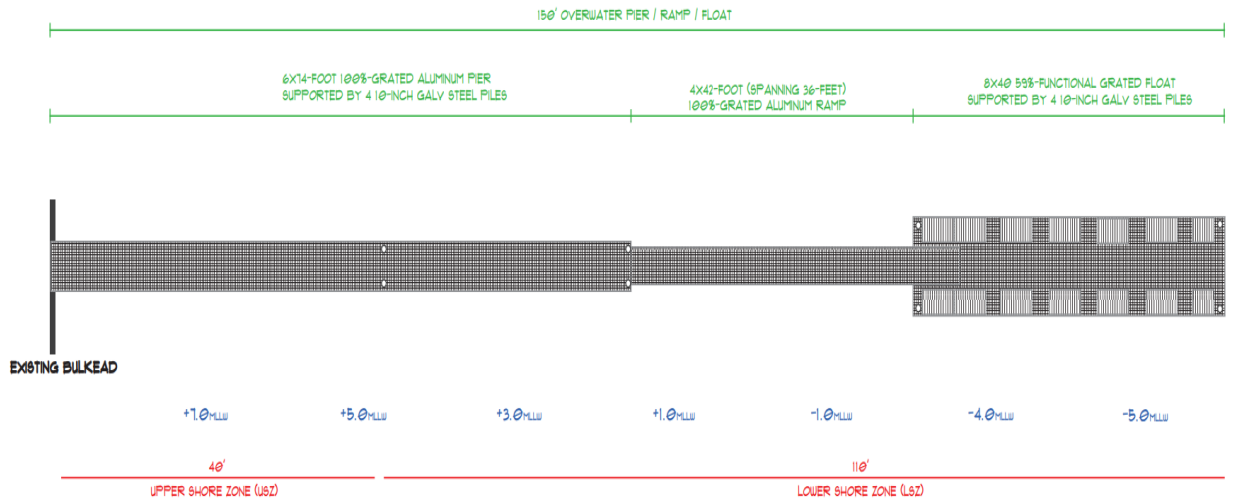
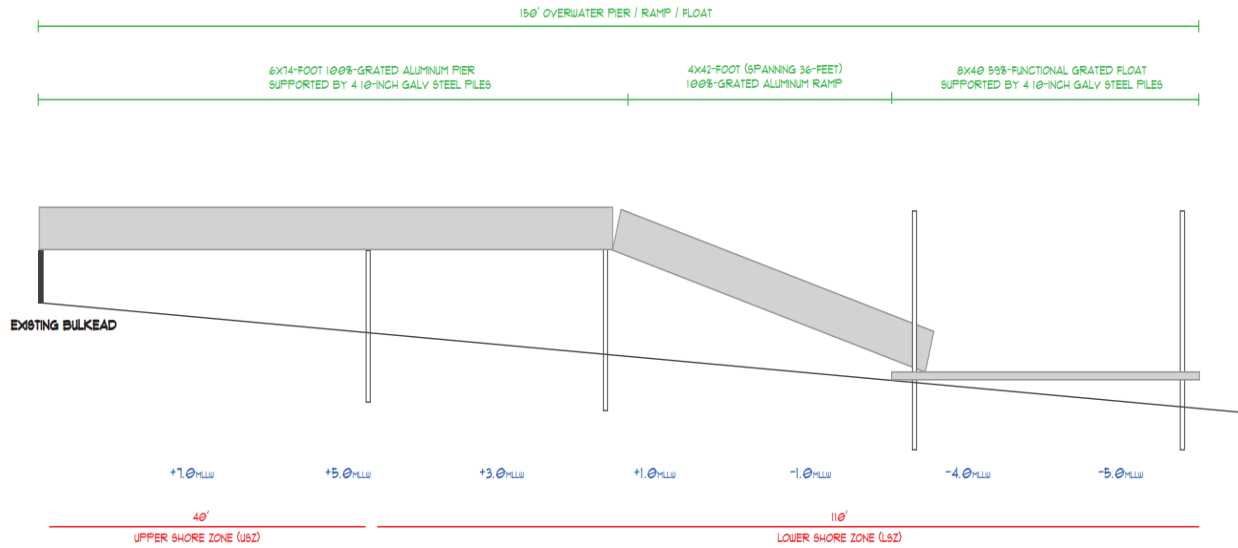


Looking south along the shoreline from the project area, along the shoreline.



Looking east toward Wollochet Bay from atop the bulkhead.

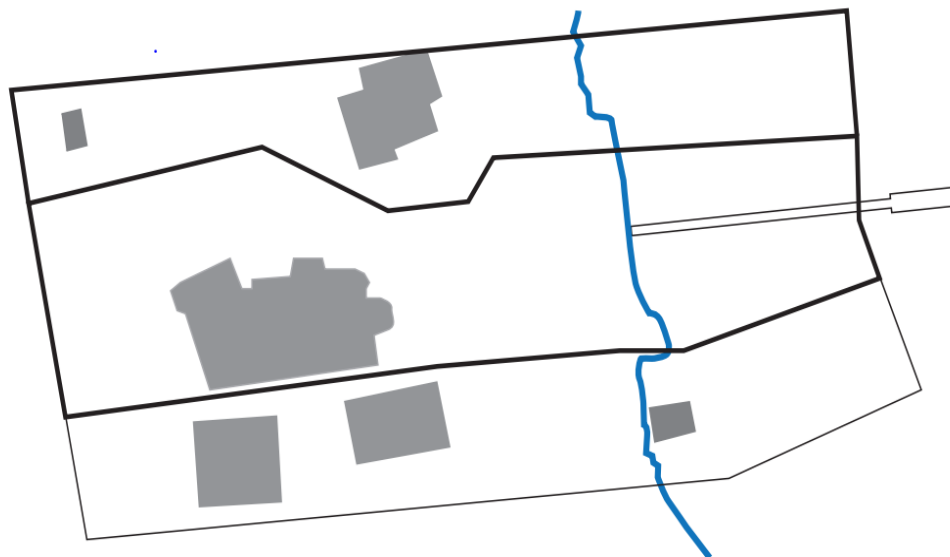
Site Plan



PARCHERT, LEE &
 FISK, DIANNE
 2315 48TH AVE NW
 GIG HARBOR, WA 98335
 PARCEL: 0221303021

SUBJECT PROPERTY
 PARCHERT, LEE &
 FISK, DIANNE
 2315 48TH AVE NW
 GIG HARBOR, WA 98335
 PARCEL: 0221303021

MAR AMANDA &
 MARKOWITZ, SCOTT
 2301 50TH AVE NW
 GIG HARBOR, WA 98335
 PARCEL: 0221303032



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 Land Use 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.

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 located along the western shore of Wollochet Bay of the Puget Sound.
- The applicant owns Parcels 0221303030 (.32 acres) and 0221303027 (.59 acres). The neighboring two properties are both within shoreline jurisdiction and are developed with single-family residences and normal appurtenances to the residences. Both properties contain a bulkhead, which appears to span several properties. Parcel 0221303027 is the proposed location of the pier and consists of a stairway from the residence to a location just above the bulkhead.
- The proposed pier/ramp/float is designed as a joint use for both shoreline parcels owned by the applicant.

- The long axis of the parcel of the proposed pier is oriented in a west-east direction and contains a vegetated marine bluff with exception to the area of the stairway and bulkhead.
- The parcel containing the proposed pier has a shoreline frontage of approximately 90 feet with a total of approximately 140 feet of frontage with consideration of both lots of ownership.
- The fetch in this area of Wollochet Bay is approximately 2,700 +/- feet wide and the proposed pier/ramp/float will be approximately 5.5% of the fetch.
- There are other similar shaped docks/piers/floats located in this area of the bay; however, there are no docks/piers/floats on the immediate adjoining neighbors.
- The closest pier to the south of the site is located approximately 265 feet and the closest dock to the north of the site is located 755 feet from the side property line.
- The access to the site is via a driveway off 48th Avenue NW, which is located to the west of the site.

Surrounding Land Use / Shoreline / Zoning Designation

LAND USE		Shoreline	ZONING
North	Existing Single-Family Residence	Residential	Rural 10 (R10)
South	Existing Single-Family Residence	Residential	R10
West	Existing Single-Family Residence	N/A	R10
East	Puget Sound / Wollochet Bay	Aquatic	N/A

Comments from the Public and Agencies

The proposed project has been routed to interested departments and agencies for review and comment. Comments received on this proposal may be found by accessing the online permit information referenced on page 2.

- To date, the County has not received any comments from nearby property owners in response to the NOA that was mailed to neighboring property owners.
- The County Biologist and the County Development Engineering Department has reviewed and approved the application.
- The Washington State Department of Historic Preservation, Nisqually Tribe, and Puyallup Tribe have requested a Cultural Resources Survey to be completed for this project.

The applicant contracted with an Archeologist to complete a Cultural Resources Survey. The completed survey was submitted to Pierce County on April 28, 2022, and remains in review by the requested agencies. The proposed SEPA and shoreline permit will not be approved until the review agencies have approved the Cultural Resources Survey.

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

Gig Harbor Peninsula Community Plan

Pages E-68 and E-69 discusses shorelines within the Gig Harbor Peninsula Community Plan Area. Pages E-80 through E-83 provides a list of shoreline goals. Staff believes the following goals are the most applicable to the proposed pier:

GOAL GH ENV-1 Marine and freshwater shorelines have historically contributed to the economic, recreational, and cultural identity of the Gig Harbor Peninsula. Because of the high quality of life that is offered by living and working near the water, these shoreline areas have received some of the greatest development pressures within the community plan area. 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 generations. The natural character and ecology of the shoreline environment should be preserved. Land use policy should promote long-term values and goals above short-term interests.

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-2.2.2 Require protection for trees, including snags, located along the shoreline.

GH ENV-2.4.1 Analyze the cumulative impacts of shoreline development when evaluating an individual project.

GH ENV-2.7.1 Encourage retention of native vegetation and trees immediately adjacent to the waterbody in any required setback.

GOAL GH ENV-5 Promote coordination between Pierce County and other agencies, such as the City of Gig Harbor, Army Corps of Engineers, and state agencies such as the Departments of Ecology, Fish and Wildlife, and Natural Resources, that have an interest in shoreline issues.

GOAL GH ENV-6 Increase recreational opportunities at existing shoreline access points and promote additional public access to shoreline locations.

GH ENV-6.1 Encourage acquisition of shoreline access points that provide opportunities for boat launches, public docks or piers, beach walking, wildlife viewing, and other shoreline-dependent uses. Protect public rights to access beaches, shorelands, tidelands, and associated waterbodies.

GH ENV-6.4 Promote development of public and private pedestrian access to shorelands and tidelands. Property owners that provide public access to marine waters may be eligible for a property tax reduction.

Staff Comment: The joint-use dock/pier/float application was routed to all applicable state and federal agencies and tribes of interest for comment. There is no dock on the immediate adjoining parcels to the north or south of the subject site. The submitted application material indicates no shoreline vegetation will be removed or altered on the site. The proposed dock/pier/float will be made of material that will not release toxic substances into the water. It is unknown at this time if the application will require native shoreline plantings to mitigate any potential impacts.

Pierce County Development Policies and Regulations – Shorelines, (Title 18S)

Title 18S provides policies, and regulations for development on Pierce County shorelines. The proposal is located within the Residential and Aquatic Shoreline Environment Designations.

18S.20.050 - Residential Shoreline Environment Designation (SED).

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.

- Priority should be given to residential and water-oriented commercial development where such development can be accommodated with no net loss of shoreline ecological functions.
- Public or private recreation facilities should be encouraged if compatible with surrounding development. Preferred recreational uses include water-dependent and water-enjoyment recreation facilities that provide opportunities for substantial numbers of people to access and enjoy the shoreline.
- Development should be designed to preserve and enhance the visual quality of the shoreline, including views over and through the development from the upland side, and views of the development from the water.

Staff Comment: The proposed joint-use dock/pier/float will be considered an accessory use to the existing on-site residence and the neighboring north residence. The proposed recreational dock may impact the view of the surrounding area both from land and water as currently there are no other docks immediately to the east or west of the subject site (the closest dock is located 265 feet south of the property). However, one can argue that by virtue of the shoreline location, it is assumed that docks and other water dependent uses would be part of the view. In addition, there are many other docks and piers within the Wollochet Bay area.

18S.20.070 - Aquatic Shoreline Environment Designation (SED)

The intent of the Aquatic SED is to protect, restore, and manage the unique characteristics and resources of marine and fresh waters.


- All development on navigable waters and submerged lands should be located and designed to minimize interference with surface navigation, to reduce impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
- Shoreline development and modifications should be designed and managed to prevent degradation of water quality and alteration of natural hydrographic conditions.
- New over-water structures should only be permitted for water-dependent uses or public access. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.

Staff Comment: The proposed dock/pier/float is a water dependent use that will not interfere with surface navigation as it will be 5.5% of the fetch (less than 15%). A 76-foot portion of the proposed 150-foot-long dock will be considered as a pier, which will be 100% grated aluminum. In addition, the proposed dock will be limited to the minimum size necessary with a 100% grated ramp and a 50% grated float.

18S.30.030 - Ecological Protection.

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 and ecosystem-wide process and that mitigates adverse impacts to ecological functions. This means assuring no net loss of ecological functions and processes in shorelines.

- Establish and manage shoreline uses and development in a manner that mitigates adverse impacts so that the resulting ecological condition is maintained or improved.
- All shoreline uses and development should avoid and minimize adverse impacts on the shoreline environment.
- Assure that shoreline modifications individually and cumulatively do not result in a net loss of ecological functions. This is to be achieved by limiting the number and extent of shoreline modifications and by giving preference to those types of shoreline modifications that have a lesser impact on ecological functions and requiring mitigation of identified impacts resulting from shoreline modification.
- Preserve and protect existing trees and native vegetation within shorelines to maintain shoreline ecological functions and mitigate the direct, indirect, and cumulative impacts of shoreline development. Where shoreline vegetation is inadequate to protect against the impact of new uses or development, native vegetation should be enhanced.
- Avoid impacts to shorelines through application of mitigation sequencing, giving highest priority to impact avoidance whenever new uses or development are proposed in shorelines.
- Replace designated noxious weeds and invasive species with native vegetation and other non-invasive vegetation to establish and maintain shoreline ecological functions and processes.
- Where new developments and uses are proposed, shoreline vegetation shall be conserved or restored when feasible. Shoreline vegetation helps to maintain shoreline ecological functions and processes and mitigate the direct, indirect and cumulative impacts of shoreline development.

Higher Priority  Lower Priority	Avoiding the impact altogether by not taking a certain action or parts of actions.
	Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts.
	Rectify the impact by repairing, rehabilitating, or restoring the affected environment.
	Reducing or eliminating the impact over time by preservation and maintenance operations.
	Compensate for the impact by replacing, enhancing, or providing substitute resources or environments.
	Monitoring the impact and compensation projects and taking appropriate corrective measures.

Staff Comment: The site contains an existing bulkhead. No vegetation is being proposed to be removed to construct the float/ramp/pier. The applicant needs to demonstrate how they are avoiding the impacts to the shoreline through the above mitigation sequencing table. As mitigation, the applicant is proposing off-site mitigation that includes removal of 62 creosote-treated piles from property located at 10060 SW Dock Street, Vashon Island, WA 98070.

Further review of the Shoreline Substantial Development Permit, Shoreline Administrative Conditional Use Permit, and SEPA may determine an amended version of the proposed mitigation or additional mitigation may be needed to mitigate any potential impacts posed by the dock/pier/float to the shoreline environment. In addition to the proposed shoreline permits the applicant will be required to obtain all required State and Federal agency permits, which also requires mitigation.

18S.30.080 Shoreline Modifications

The intent of the Shoreline Modification policies and regulations is to limit those actions that modify the physical configuration or qualities of the shoreline area. Shoreline modifications are those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

- Reduce the adverse effects of shoreline modifications and, as much as possible, limit shoreline modifications in number and extent.
- Allow only shoreline modifications that are appropriate to the specific type of shoreline and environmental conditions for which they are proposed.

Staff Comment: The property contains an existing bulkhead. The proposed project is to construct a joint-use dock/pier/float. A 76-foot portion of the proposed 150-foot-long dock will be considered as a pier. A condition of approval will require the applicant to 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.

18S.40.140 - Water Access Facilities

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.

- Locate, design, and operate facilities so that other water-dependent and preferred uses are not adversely affected.
- Discourage facilities that serve only one residence, and encourage facilities serving more than one residence.
- Discourage railways, docks and launching ramps on shallow, gradually-sloping beaches that result in excessively long facilities, or normal length facilities that are nonfunctional (e.g., high and dry) a majority of the time.
- New piers and docks shall be allowed only for water-dependent uses or public access and shall be the minimum size necessary to meet the needs of the proposed use. As used here, a dock associated with a single-family residence is a water-dependent use; provided, that it is designed and intended as a facility for access to watercraft or the water.
- Floating facilities (including anchor lines) and vessels moored to all facilities shall not ground or beach on the substrate. Flotation material shall be fully enclosed and contained.
- 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.
- In- and over-water facilities shall be visible under normal day and nighttime conditions. Visual aids may include reflectors and warning lights, and shall be consistent with any applicable U.S. Coast Guard requirements.
- Height of a facility should be the minimum necessary for safe operations.
- In a constricted body of water, docks, except for residential docks, shall be allowed only where 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.
- Maximum intrusion into the water shall be only so long as to obtain a depth of 8-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 shall not exceed the lesser of 15 percent of the fetch or the maximum allowed length.

Staff Comment: The site is located on the western shore of Wollochet Bay. The proposed pier/ramp/float (dock) design is consistent with the character of other over-water structures in this area of the bay.

Based on the submitted site plan, from the proposed location, the dock will not unduly affect ingress-egress or the use and enjoyment of the water or beach on the adjoining properties as the pier portion of the dock will be raised to allow walking under the dock. In addition, the proposed dock is over 10 feet from the side property lines. According to the County's 2019 aerial photo, the closest dock to the south is approximately 265 feet away and approximately 755 feet to the north.

Pierce County Code, Title 18S, Section 18S.40.140.B.2. states in part that facilities/docks that serves only one residence should be discouraged (code encourages facilities serving more than one residence). In addition, Section 18S.40.140.B.3 states in part that docks should be discouraged on gradually sloping beaches when most of the time they are dry and non-functional.

The dock meets the requirements for being joint use, the fetch, length, piling vertical clearance, and setbacks. If approved, 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, a condition of approval will require that all plastics or other nondegradable materials, which are used in pier construction, are to be contained.

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?