

Initial Project Review

Shoreline Substantial Development Permit and Shoreline Administrative Conditional Use Permit: Sachi LLC

Application Numbers: 993478, 993932
Parcel Number: 0221311094 and 0221311063

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: September 28, 2022, at 6:30 p.m., at the City of Gig Harbor, southeast entrance, 3510 Grandview, Gig Harbor, WA 98335

Proposal: The proposed project is to construct a 150-foot long by 8-foot wide joint-use dock consisting of a 60-foot x 6-foot pier, 40-foot x 3-foot ramp, and two (2) 30-foot x 8-foot floats with a total of 12 piles to support the entire structure. The proposed project is accessory to the existing single-family residence and an undeveloped lot, on a .58-acre parcel, located on the southeast shore of Wollochet Bay.

Project Location: 4107 - 10th Street NW, Gig Harbor, WA, in the Residential and Aquatic Shoreline Environments, Rural 10 (R10) zone classification, and the Gig Harbor Community Plan area, in the NE ¼ of Section 31, T21N, R2E, W.M., in Council District #7

Review Summary: Staff has reviewed this proposal for compliance with all policies, codes, and regulations and concludes the project can be approved, if properly conditioned.

State Environmental Policy Act (SEPA): A SEPA checklist was submitted for this application. 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 has not yet issued a Determination. No comments were received, and at this time no decision has been issued.

County Contact: Brian Bischof, Associate Planner brian.bischof@piercecountywa.gov, 253-798-2987

Pierce County Online Permit Information:

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departStatus?applPermitId=993478>



Project Data

Complete Application Date: July 14, 2022

Initial Project Review Mailed: September 22, 2022

Applicant/Owner: Bart Brynestad
Sachi LLC
806 Berg Court NW
Gig Harbor, WA 98335
BBrynestad@panattoni.com

Agent: Marine Floats Corporation
Attn: John Kavanaugh
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Tacoma, WA 98421
john@marinefloats.com

Legal and Public Notice

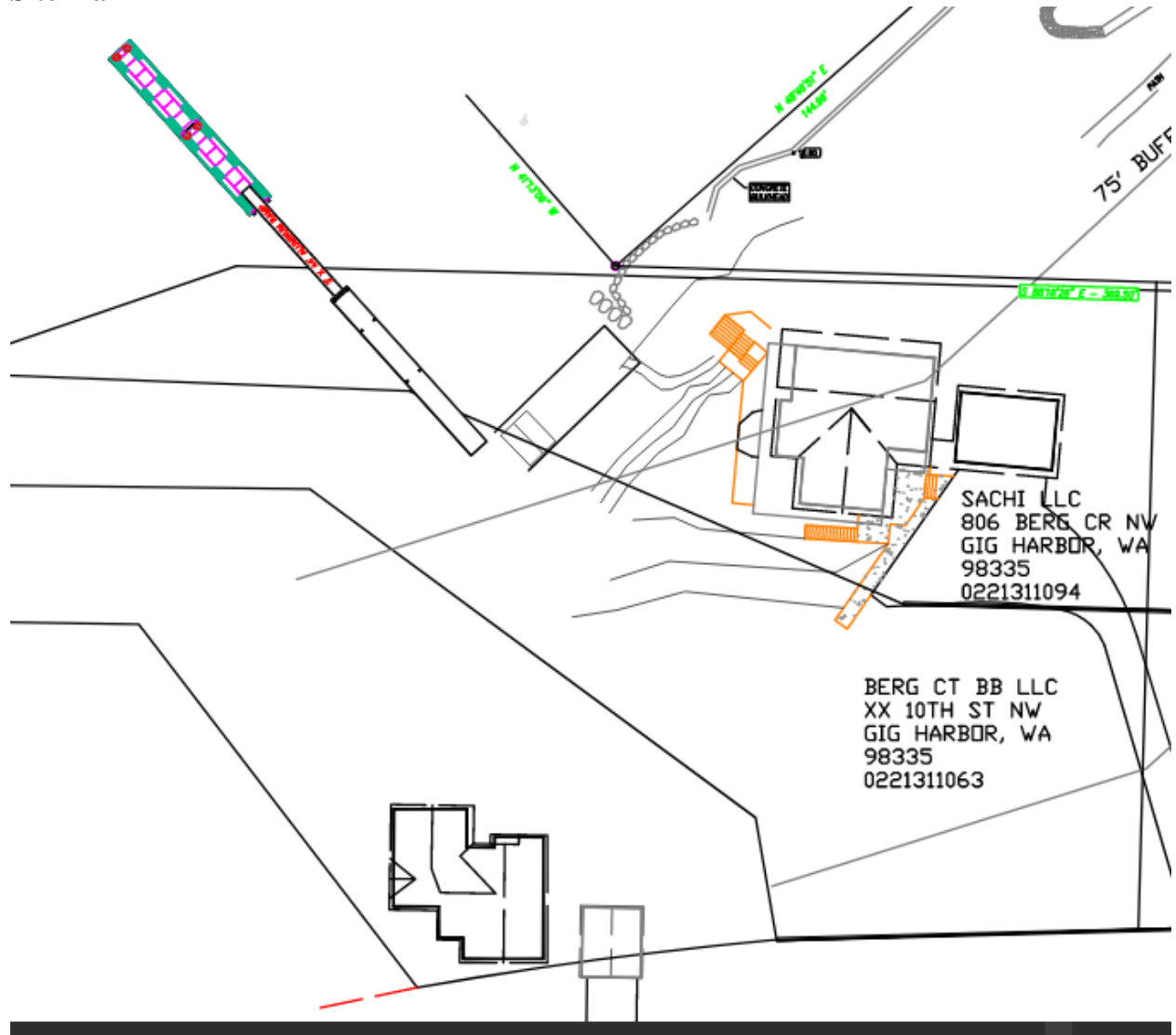
- *July 28, 2022:* Notice of Application (NOA) and Public Meeting Notice, including the Gig Harbor Peninsula Advisory Commission (PAC) meeting date, was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- *August 2, 2022:* Public Notice sign was posted on-site, confirmed with a Declaration of Posting.
- *September 14, 2022:* Legal notices were published in the official County newspaper (*Tacoma News Tribune*), advertising the PAC public meeting.

2021 County Aerial Photo

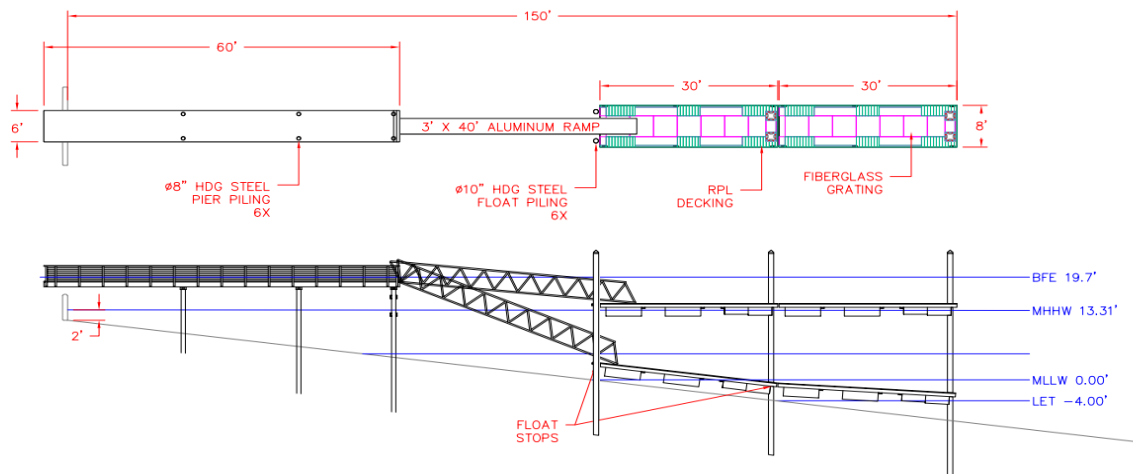




Site Plan



Cross-Section and Elevation Plans



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 western portion of an irregular shaped parcel abutting the southeast shore of Wollochet Bay.
- The long axis of the parcel is oriented in a west-east direction. The topography of the parcel is rolling with 15% steep slopes dropping from that softer slope area towards the water, on the west side of the site.

- The County Assessor lists the parcel as .58-acre in size with approximately 123 feet of shoreline frontage.
- Currently, the site is improved with a single-family residence with a detached covered carport, both built in 1970. A terraced slope with switched back steps/pathway leads down from the single-family residence to the bulkhead. The southern parcel is undeveloped land.
- The Coastal Zone Atlas for Pierce County, provided by the Washington State Department of Ecology (ECY), identifies the shoreline of the parcel and within close vicinity of the site as “Feeder Bluff”.
- The shoreline of the site is improved with a rock bulkhead with inset stairs which extends to the beach area.
- The bulkhead is located along the toe of the slope at the back edge of the beach, which was present at the time of the building permit of the existing single-family residence.
- The Shoreline of both immediate adjoining parcels to the east and west is improved with a bulkhead as well.
- A set of wood retaining walls are located between the residence and the bulkhead, within the required 75-foot Residential shoreline buffer area.
- The fetch in this area of Wollochet Bay is approximately 2,210 feet wide and the proposed dock will be approximately 6.8% of the fetch.
- There are other similar size and shaped docks located within a close proximity of the site; however, there is no dock on the immediate adjoining parcels to the northeast or southwest.
- An existing joint-use dock is located on 2 immediate adjoining parcels to the east of the site, which was approved by the Pierce County Hearing Examiner in January 2009 under case number SD/CP25-08.
- The access to the site is via a long-paved driveway off 10th Street NW, which is located to the south of the site.
- The proposed dock will be utilized by parcels 0221311094 and 0221311063. At this time only parcel 0221311094 is developed with a dwelling.

Surrounding Land Use / Shoreline / Zoning Designation

	LAND USE	SHORELINE	ZONING
North	Single-family residence	Residential and Aquatic	Rural 10 (R10)
West	Wollochet Bay	Residential and Aquatic	N/A
East	Single-family residence	Residential and Aquatic	R10
South	Single-family residence	Residential and Aquatic	R10

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 1.

- Comments of concern have been received from the surrounding neighbors. The main concern seems to be regarding seals that frequent the area near the project. Resource Management notes that the area is not mapped as a seal haul out site but, forage fish is mapped on both sides of the project area.

- No adverse comments were received from reviewing agencies within the County. Floodplain Services has requested minor revisions. Resource Management has requested a dive survey in order to review for presence of intertidal aquatic vegetation, and may require additional information regarding impacts to forage fish. Resource Management will also coordinate with State agencies regarding seal concerns.

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

Gig Harbor Peninsula Community Plan

The Plan was adopted as part of the County Comprehensive Plan on June 30, 2016, Under Appendix E (Title 19A):

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-2.2.1 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.

GH ENV-2.4 Base allowable uses along the shoreline on the Comprehensive Plan land use designation and SMP and permit them on a case by case basis.

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

Staff Comment: A joint-use dock is proposed for this site. There is not a dock on the immediate adjoining parcels to the east or west of the subject site; however, there is a 170-foot long by 8-foot wide dock approximately 250 feet to the southwest two (2) parcels away. This dock was approved by the Pierce County Hearing Examiner on January 29, 2009, under case No. SD/CP25-08.

Historically, state/federal agencies prefer buoys versus docks since they have less adverse impact on the shoreline environment as they allow vessels to moor into deeper water to prevent them from grounding or scouring the seabed surface. In this case, based on the submitted site plan, the water depth at the end of the dock, as measured at mean lower low water (MLLW), is approximately -7 feet.

The proposed dock neither will cause removal of any vegetation from the site nor will it have any impact on the views of the neighboring properties, as the project site and surrounding sites are all considered as high bank waterfront properties. Moreover, if approved, the dock will not be out of character with other properties within close vicinity of the site, as there are other similar size docks to the west of the site as well as one to the east of the site.

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 will be considered an accessory use to the existing residence and any future dwelling on parcel # 0221311094. A notice on title will note the same. The proposed recreational dock will not adversely impact the surrounding area as the subject site and surrounding parcels are considered high bank waterfront sites with their respective residences away from the bluff. In addition, there are other similar size docks within close vicinity of the site; therefore, views of adjoining lots will be adversely impacted by the proposed dock.

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 is a water dependent use that is not expected to significantly interfere with surface navigation. The dock will be less than 15% (6.7%) of the fetch. A 60-foot portion of the proposed 150-foot long dock will be considered a pier which will be 100% grated aluminum. In addition, the proposed overwater structure (dock) will be limited to the minimum size necessary with 100% grated ramp and 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.

Table 18S.30.030-1. Mitigation Sequencing	
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: Staff will assess appropriate mitigation through the course of its review. A condition of approval will require restoration of any vegetation that is disturbed..

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.

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 southern shore, along the mouth of Wollochet Bay. The proposed pier/ramp/float (dock) design and size are consistent with the character of other over-water structures in this area of the bay. The dock from the proposed location is not expected to 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 over 10 feet from the side property lines. According to the County's 2020 aerial photo, the closest dock to the southwest is approximately 250 feet and the closest dock to the northeast is 554 feet from the subject site. In addition, per the submitted site plan, the depth of water at the end of the proposed dock will be approximately -7.0 foot 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, a condition of approval will require that all plastics or other nondegradable materials, which are used in pier construction, will be contained.

Question from Staff for the PAC

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

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