

Initial Project Review

Conditional Use Permit: Paddock Star Tree Service

Application Number: 1007776
Tax Parcel Numbers: 0121223031

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: July 12, 2023, at 6:30 p.m., at the City of Gig Harbor, southeast entrance, 3510 Grandview Street, Gig Harbor, WA 98335.

Proposal: Operate Star Tree Service from the site under a Cottage Industry II designation. The business office is the 288-square foot den upstairs. Outdoor storage will be within a fenced in area.

Project Location: 3619 Ray Nash Drive NW, Gig Harbor, WA 98335, within the SW 1/4 of Section 22, T21N, R01E, 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 inconsistent with the applicable codes and regulations and that staff will be recommending denial of the proposal, subject to conditions.

Zone Classification: Rural Sensitive Resource (RSR) is intended to provide low density rural residential development in order to protect environmentally sensitive areas such as stream corridors, aquifer recharge areas, and fish and wildlife habitat areas. Permitted and conditional uses employing low impact development techniques are compatible with the RSR zone. New development within the RSR classification shall utilize low impact development (LID) techniques as outlined in the Pierce County Stormwater Management and Site Development Manual.

State Environmental Policy Act (SEPA): A SEPA checklist was not submitted for this application. Planning and Public Works (PPW) has concluded that environmental review is Categorically Exempt. Note: The project is not likely to result in any significant adverse environmental impact.

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

Pierce County Online Permit Information:

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departmentStatus?app!PermitId=1007776>



Project Data

Application Date: March 30, 2023

IPR Mailed Date: July 5, 2023

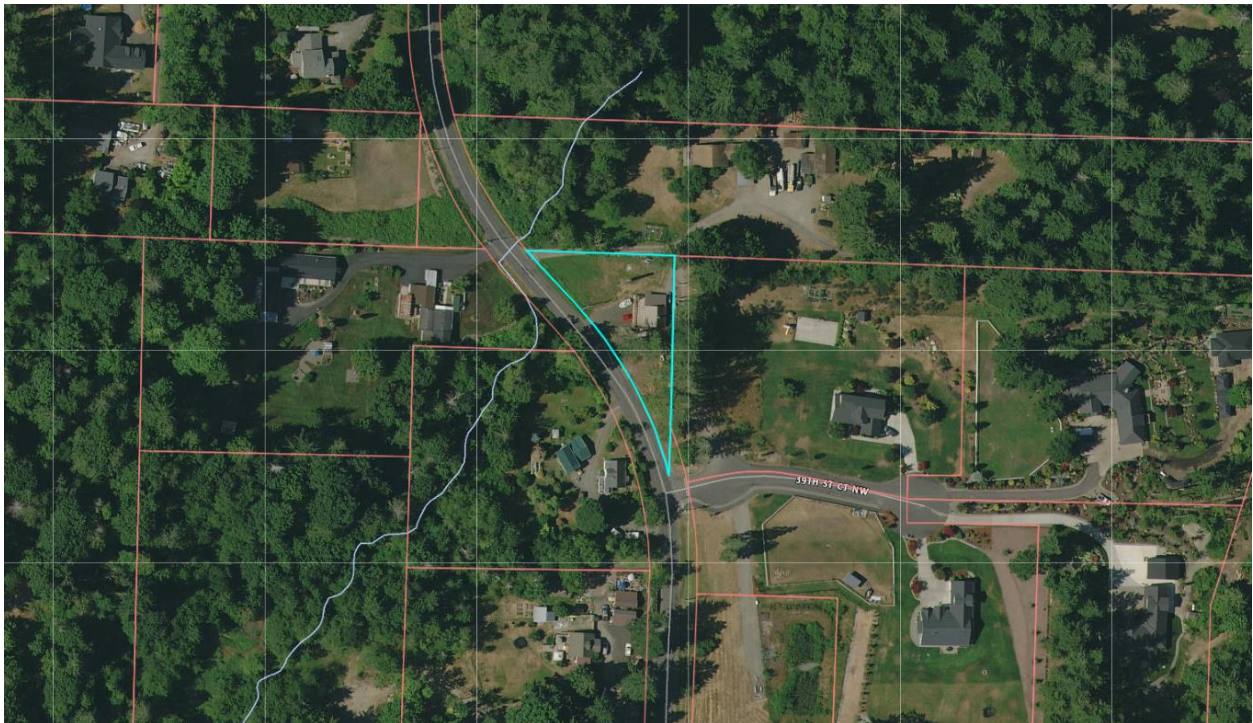
Property Owner(s): Star Paddock
3619 Ray Nash Drive
Gig Harbor, WA 98335
star@startreeservice.net

Applicant: Carl E. Halsan
PO Box 1447
Gig Harbor, WA 98335
carlhalsan@gmail.com

Public and Legal Notice

- *April 14, 2023*: Notice of Application and Public Meeting Notice, including the Gig Harbor Peninsula Advisory Commission (PAC) 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.
- *April 28, 2023*: The site was posted with a Public Notice sign, confirmed with a Declaration of Posting.
- *June 28, 2023*, Legal Notice was published in the official County newspaper (*The News Tribune*), advertising the public meeting to be held by the PAC.

2022 County Aerial Photos



Zoning Map

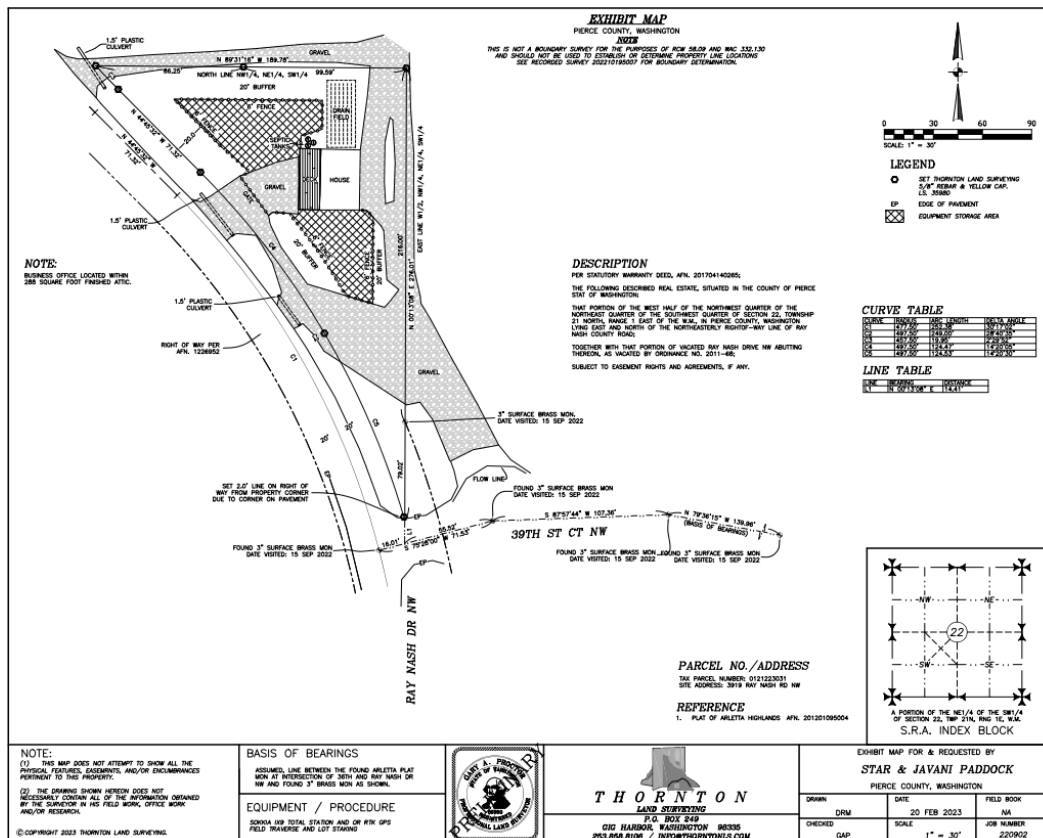
Zoning



The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The County makes no warranty of fitness for a particular purpose.

Date: 6/27/2023 09:07 AM

Proposed Site Plan



Public and Agency Review Comments

One written comment was received from surrounding property owners or the general public to date.

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

- Squaxin Island Tribe.:
They have no specific cultural resource concerns for this project. However, if DAHP recommends a survey, or any other additional recommendations, Squaxin Island Tribe concurs with DAHP's recommendations.
- Nisqually Indian Tribe:
No comments or concerns at this time. Please keep us informed if there are any Inadvertent Discoveries of Archaeological Resources/Human Burials.
- Development Engineering Section of PPW:
Pending review
- Resource Management Section of PPW:
No Comments.

Comments received on this proposal may be found by accessing the Online Permit Information referenced on page 1. The substance of these comments is reflected, where appropriate, in the analysis provided below.

Background

The .72-acre site is triangular shaped and fronts Ray Nash Drive NW. The property is within the Open Space Corridor and contains a Single-Family Residence.

The site slopes gently up to the east.

The project site is directly west of ARLETTA HIGHLANDS, recorded January 9, 2012. Directly to the west and north is single-family residences.

Surrounding Land Use / Zoning Designation:

	LAND USE	ZONING (Title 18A)
North	Single Family Residence	Rural Sensitive Resource (RSR)
South	Single Family Residence	RSR
East	ARLETTA HIGHLANDS – Single Family Residence	Rural 10 (R10)
West	Single Family Residence	RSR

Utilities/Public Facilities: Utility service and public facilities are proposed as follows:

Water - Well
Sewer- N/A
Power - Peninsula Light
School- SD #401 PENINSULA

Governing Regulations

The proposed is being reviewed for conformance with the following goals, policies and requirements in effect on the March 30, 2023, complete application date of this proposal:

- Title 19A Comprehensive Plan - January 1, 1995, as amended
- Title 17A Construction and Infrastructure Regulations – Site Development and Stormwater Drainage
- Title 17B Construction and Infrastructure Regulations – Road and Bridge Design and Construction Standards
- Title 18 Development Regulations - General Provisions
- Title 18A Development Regulations – Zoning
- Title 18D Development Regulations - Environmental
- Title 18E Development Regulations - Critical Areas
- Title 18F Development Regulations - Land Division and Boundary Changes
- Title 18H Development Regulations - Forest Practices
- Title 18J Design Standards and Guidelines

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

Title 18E, Development Regulations – Critical Areas

- No critical areas mapped on site.

Title 18A, Development Regulations - Zoning

- The parcel is in the Rural Sensitive Resource (RSR) classification within the Gig Harbor Community Plan Area. The primary purpose is intended to provide low density rural residential development.
- The activity shall not create noticeable glare, noise, odor, vibration, smoke, dust, heat, or cause interference with radio or television receivers at or beyond the property lines.
- Activities shall be performed completely inside the residence, an accessory structure, or a combination of the two.
- Structures used for a cottage industry shall comply with building and fire code requirements for permits, occupancy, and inspection.
- The activity shall be clearly incidental and secondary to the residential use of the property and shall not change the residential character of the dwelling or neighborhood.
- Customers and clients are allowed between the hours of 6 a.m. and 9 p.m. and sales in connection with the home occupation are limited to merchandise handcrafted on site or items accessory to a service.

- Off-street parking shall include one space per non-resident employee and one for each related vehicle (unless the employee drives the cottage industry vehicle only) in addition to the parking required for the single-family residence according to PCC 18A.35.040, Off-Street Parking.
- Use of hazardous materials or equipment must comply with the requirements of the International Building Code and the International Fire Code.
- The cottage industry shall be limited to 1,500 square feet or a size equivalent to 50 percent of total floor area of the living space within the residence, whichever is less. Properties which are 5 acres or greater may exceed this requirement at the Examiner's discretion.
- Four non-resident employees are allowed.
- Three 18,000 pounds gross vehicle weight vehicles and one vehicle in excess of 18,000 pounds gross vehicle weight are allowed.
- Activities and outside storage of materials and equipment are allowed provided the site is sufficiently screened.
- Outside material and vehicle storage shall be screened from neighboring residential dwellings with a Level 3 landscape buffer and F1 fencing. See PCC 18J.15.040 for landscape and fence buffer standards.
- A Level 3 landscape buffer shall be provided between cottage industry activities and neighboring residential dwellings.

Title 18J, Development Regulations – Design Standards and Guidelines

- Tree Conservation is required per 18J.15.030.
- Landscape buffers shall meet the standards of 18J,15.040.

Required Findings for Conditional Use Approval

Section 18A.75.030 Conditional Use Permit Requirements.

1. Required Findings. The Examiner may use Design Standards and other elements in this Code to modify the proposal. A Conditional Use Permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record:
 - a. That the granting of the proposed Conditional Use Permit will not:
 - (1) be detrimental to the public health, safety, and general welfare;
 - (2) adversely affect the established character and planned character of the surrounding vicinity; nor
 - (3) be injurious to the uses, planned uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
 - b. That the granting of the proposed Conditional Use Permit is consistent and compatible with the intent of the goals, objectives and policies of the County's Comprehensive Plan, appropriate Community Plan (provided that, in the event of conflict with the Comprehensive Plan, the Comprehensive Plan prevails), and any implementing regulation.
 - c. That all conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
 - d. That the proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.

- e. That the conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
 - f. That the Level of Service standards for public facilities and services are met in accordance with concurrency management requirements.
- 4. Approval.** The Examiner may approve an application for a Conditional Use Permit, approve with additional requirements above those specified in this Title or require modification of the proposal to comply with specified requirements or local conditions.
 - 5. Denial.** The Examiner shall deny a Conditional Use Permit if the proposal does not meet or cannot be conditioned or modified to meet PCC 18A.75.030.B.1, Required Findings.

Staff Comment: Based on the public comment received, activities have been ongoing for the use generating high quantities of odor and sound by chipping wood on site. The chipping of stored lumber on site would not be allowed unless conducted within the residence or associated structure per the Home Occupation regulations. Uses allowed could include storage of said lumber to be transported to another site for processing, parking of vehicles associated with the business, and making appointments for lumber processing. But the chipping of lumber generates considerable noise, odor, and vibrations which would not be allowed per the Home Occupation regulations.

Questions for PAC Discussion and Consideration

- Is the Conditional Use adequately addressing public health, safety and general welfare issues as discussed above? If no, what changes are recommended.
- Will the public use and interest be served by the proposal? If not, what changes are recommended?

Other Questions or Concerns?

Paddock CP IPR PAC-RP.docx