

Initial Project Review

Shoreline Substantial Development Permit: Stanton Dock

Application Numbers: 897356, 897357
Parcel Number: 7590000091

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: January 23, 2019, at 6:30 p.m., City of Gig Harbor, 3510 Grandview, southeast entrance, Gig Harbor, WA 98335

Proposal: Applicant requests a Shoreline Substantial Development Permit to construct a new dock for a single-family residence. The new single-family dock system with (1) 4-foot X 35-foot (31 feet overwater) aluminum pier, (1) 3-foot x 40-foot aluminum ramp, and (1) 8-foot x 24-foot float; and move a (2) 2-foot X 24-foot pontoon boatlift from a moorage buoy to the new dock.

Project Location: 279 Shorewood Court Unit A, Fox Island, WA 98333, in the Rural Residential Shoreline Environment and Rural 10 (R10) zone classification of the Gig Harbor Peninsula Community Plan area, within Section 35, T21N, R01E, 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.

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, Assistant Planner, robert.perez@piercecountywa.gov
253-798-3093

Pierce County Online Permit Information:

<https://palsonline.co.pierce.wa.us/palsonline/#/permitSearch/permit/departmentsStatus?applPermitId=897356>



Project Data

Complete Application Date: October 19, 2018

Initial Project Review Mailed: January 16, 2019

Applicants/Owners: Jared "Mac" and Megan Stanton
279 Shorewood Court Unit A
Fox Island WA, 98333
mstanton@wapatriot.com

Agent: Marine Floats Corporation
Attn: Lorrie Chase
1208 East D Street
Tacoma, WA 98512
lchase@marinefloats.com

Legal Notice

- *November 9, 2018*: 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.
- *November 16, 2018*: Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *January 9, and 10, 2019*: Legal notices were published in the official County newspaper (*Tacoma News Tribune*) and the *Peninsula Gateway* newspaper, advertising the public meeting to be held by the Gig Harbor Peninsula Advisory Commission.

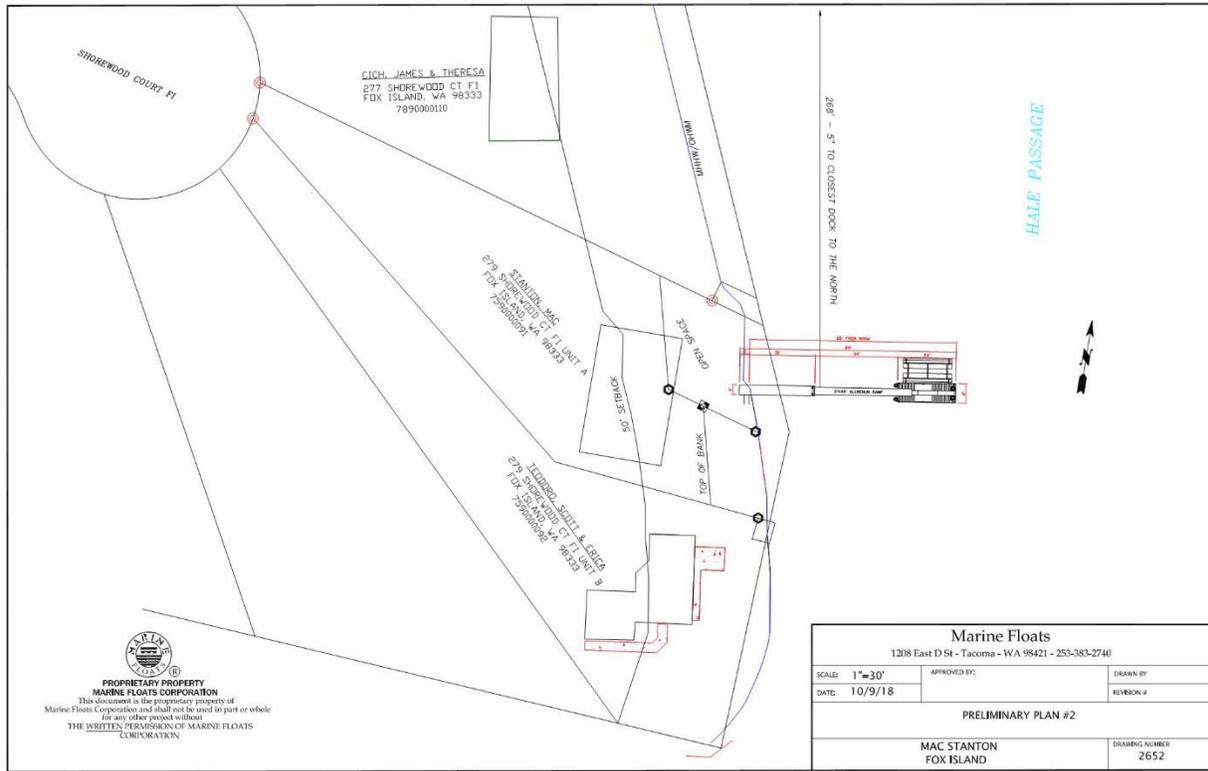
2017 Ortho Photos

2017 Ortho Photos

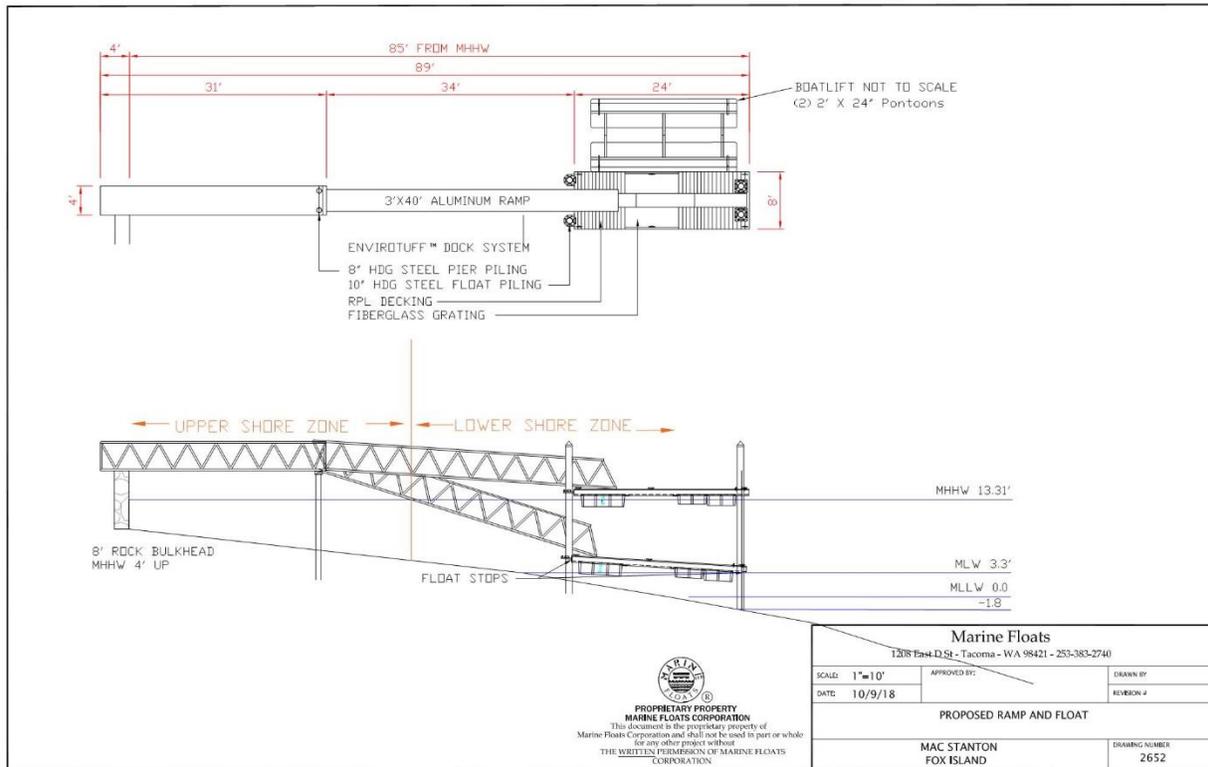


The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL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

Site Plan



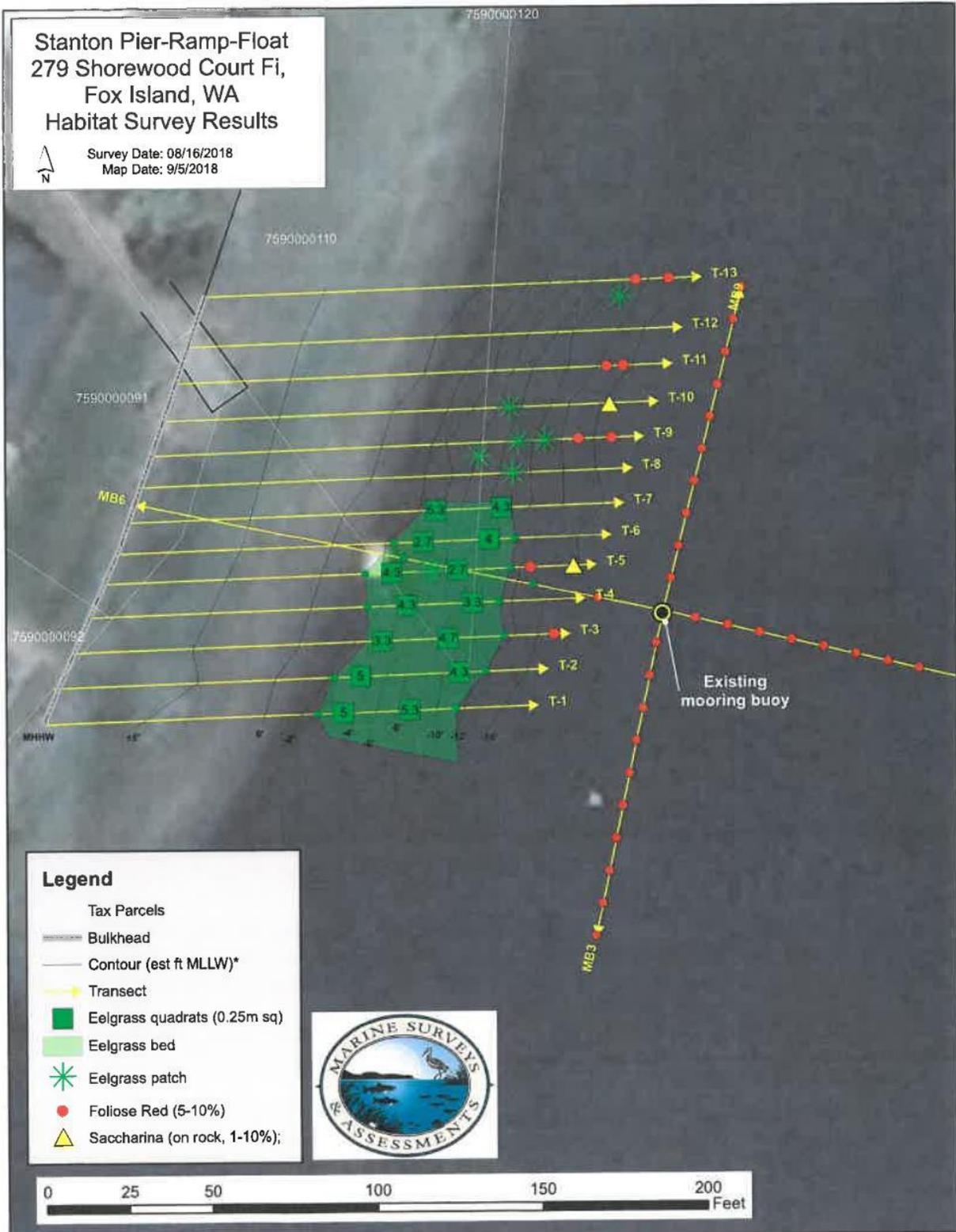
Cross-Section



Stanton Pier-Ramp-Float
 279 Shorewood Court Fi,
 Fox Island, WA
 Habitat Survey Results



Survey Date: 08/16/2018
 Map Date: 9/5/2018



Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community *The depths shown

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 Key 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 7590000091 as being 0.2918 acres in size.
- The parcel is accessed from the east and is 1,034 feet in length at longest edge. The parcel includes approx. 95 feet of tidelands.
- The parcel is located on the northeast side of Fox Island.
- The access to the site is via a driveway off Shorewood Court NW.
- The topography of the site slopes toward the shore/bulkhead.
- The parcel is improved with a single-family home.
- The site contains a boat ramp located on the north side of the property.

Surrounding Land Use / Shoreline / Zoning Designation

	LAND USE	SHORELINE	ZONING
North	Single-family residence	Rural-Residential	Rural 10 (R10)
South	Single-family residence	Rural-Residential	R10
East	Puget Sound	N/A	N/A
West	Single-family residence	Rural-Residential	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:

- Washington State Department of Ecology
- Squaxin Island Tribe
- Nisqually Indian Tribe

Public Comments

No public comments were received to date.

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

Gig Harbor Peninsula Community Plan

- Piers and docks should be permitted in the Urban, Rural-Residential, and Rural Shoreline Environments. Piers and docks should generally be prohibited in the Conservancy and Natural shoreline environments.
- Encourage environmentally friendly dock design (e.g., grated dock surfaces that allow light to pass through instead of traditional dock construction methods).
- Require the joint use of piers and docks whenever possible. Create a system of incentives that will encourage adjacent property owners to share docks. Afford greater flexibility in joint use facility design in cases that involve shallow water depths or other unusual circumstances.
- Maximum intrusion into water for any pier or dock shall extend only far enough to obtain a depth of 8 feet of water as measured at mean lower low water (MLLW) on saltwater shorelines or as measured at the ordinary high-water mark on freshwater shorelines. In circumstances when 8 feet of water depth cannot be attained because of a shallow bottom profile, the maximum intrusion into the water shall not exceed the lesser of 15 percent of the fetch or 150 feet on saltwater shorelines and 40 feet on freshwater shorelines. In circumstances where these standards have been exceeded on abutting properties, it may be appropriate to average the length of the abutting docks if joint use cannot be obtained.

Staff Comment: The Gig Harbor Peninsula Community Plan policy states, in part, the maximum intrusion of the dock into the water shall not exceed the lesser of 15 percent of the fetch or 150 feet on saltwater shorelines. At a full length of 89 feet and fetch of 1,000 feet this proposal meets regulatory standards. Construction is proposed off site then floated to the site via barge.

Pierce County Shoreline Master Program Policies (Pierce County Code, Title 19D.190)

- Piers associated with single-family residences should be discouraged.
- In considering any pier, considerations such as environmental impact, navigational impact, existing pier density, parking availability, and impact on adjacent proximate land ownership should be considered.
- Encourage the use of mooring buoys as an alternative to space consuming piers such as those in front of single-family residences.
- Piers and floating docks should be encouraged to be built perpendicular to the shoreline rather than along it.
- Encourage pier construction to include larger spans on fewer pilings rather than smaller spans and more pilings. Piers in marine waters may provide habitat suitable for predatory fish with consequent detriment to young salmonids.
- When plastics or other non-degradable materials are used in pier construction precautions should be taken to insure their containment.
- Areas having a significant near shore fishery should not be used for floating docks.

Staff Comment: Regulations prefer joint-use docks over single-use docks. The proposed dock is single-use. The dock is proposed to be built perpendicular to the shore, and navigation would be impacted minimally. A Habitat Assessment has been requested of the applicant by the County Resource Management Section to ensure impacts to the nearby eelgrass are avoided. If the boatlift is retained, as proposed, it should be moved to the south/western side of the dock system. Moving the boatlift to the other side of the dock system would help alleviate access issues with the concrete ramp.

Should the County approve the dock, additional approvals are necessary from State and Federal agencies. These approvals will consider the number of pilings, amount of grating, and proper containment for flotation material.

Pierce County Shoreline Management Use Regulations (Pierce County Code, Title 20)

- Construction of the proposed project exceeds established fair market value (\$7,047.00) for development and, therefore, the proposed construction shall be considered a substantial development for the purpose of this Title.
- A saltwater dock exceeding 50 feet in length requires a Shoreline Substantial Development Permit (SD) in the Rural 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.
- In areas identified by the Department of Fisheries, Game or Natural Resources in accordance with a study in existence at the time of application as having a high environmental value for shellfish, fish life or wildlife, piers, docks and floats shall not be allowed unless functionally necessary to the propagation, harvesting, testing or experimentation of said marine or wildlife, unless it can be conclusively established that the dock, pier or float will not be detrimental to the natural habitat.
- All piers and docks shall be constructed and maintained in a safe and sound condition.
- 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.
- Single-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 150 feet on saltwater shorelines and 40 feet on freshwater shorelines.
- Single-use piers and docks: Maximum length parallel to shore should not exceed eight feet.
- Single-use piers and docks: A minimum separation of 10 feet should be maintained between the structure and the side property lines extended at a right angle to the shoreline.

Staff Comment: The pier/ramp/float design and size are consistent with the character of other over-water structures nearby. The dock from the proposed location is approximately 25 feet from a concrete boat ramp, accessed from the neighbor to the north. The proposed length of the dock system is 89 feet and at its current angle crosses the neighboring property line. A single use dock system must maintain a 10-foot separation from neighboring properties. The total overwater coverage is approximately 532 square feet.

The dock will not unduly impair views from surrounding properties. Views of the Olympic Mountains and Tanglewood Island will not be blocked by addition of this dock system. And numerous docks presently exist around Echo Bay. The dock may impair ingress and egress from the dock system crossing into the neighboring property and possibly blocking access of the concrete ramp on site. The intensity of the proposed dock will not exceed that of the Rural Residential Environment based upon land and water uses in the area except were mentioned above.

Note: The proposed dock does not meet all requirements for approval of an SD application. And so, Staff recommends denial, based on the dock crossing neighboring property lines without an agreement for use. Previous permit approving a joint-use dock carried conditions including removal of floats and buoys and allowing a separation of 35 feet from the concrete ramp so that the concrete ramp could still be utilized. Staff's recommendation of conditions for approval would consist of retaining the anchor buoy but removal of the boatlift, since the depth at the end of the dock is shallow enough that an anchor buoy would be necessary for consistent use. And insuring that all bulk requirements be met prior to approval.